

# HARRISON'S REPORTS

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No. 1

## THE INDUSTRY'S PLIGHT

I wonder whether you realize how near collapse the industry is! If you do not, it is about time you realized it. It should be to your interest to do so, for before Spring is well on you may find yourself without film to keep your theatre going.

The causes of this state of affairs are known to every one of you, I believe:—extravagance, graft, incompetence, politics, sex, and others. In Hollywood they do not yet know that the war is over and are talking in terms of two hundred and three hundred thousand dollar cost for ordinary program pictures, when grosses have fallen to a point below the two hundred thousand dollar mark, as an average. The salaries of anywhere from two to ten thousand dollars a week are still in existence. Buying stories, not in accordance with merit, but just to give an opportunity to some one to make a five or a ten per cent commission, is still a common practice. Agencies receiving for the stars they represent thousands of dollars a week when such stars receive only twenty-five, sometimes fifty per cent, of what they are supposed to earn, still goes on. Ignorant persons still continue to head production when able producers are idle; and persons who have no idea of story values still continue to pass upon story material. And Hollywood is still sex mad and growing worse—it has come to a point where it has become senile. I have been informed by a reputable person that the conversation of some of the biggest of them revolves mostly about sex matters.

At the home offices in New York, the executives are exerting mad efforts to extricate their companies from the wreckage caused by overexpansion in the theatre field, for which in most instances they themselves are responsible, but without success. The wreckage is so complete that nothing can save them. A friend who has just taken back from one of the big companies theatres he once owned, has written me: "This thing is about the worst mixture you could ever imagine and will require months to even see what to do and when to do it, all but emergency moves, if the ship does not sink before the coast guard arrives. It is impossible to conceive of an organization being more completely wrecked than if it had been done deliberately. It actually brings tears from an old mud lot trooper and that's going some."

Is there any hope that the collapse of the industry will be prevented?

Optimistic though I am by nature, I have no hope that anything can be done to save the industry from collapsing, for the causes that have brought this condition about are still in operation. Take, for instance, the latest industry venture—Radio City. You would think that persons who have made so much success in other businesses, financiers like the

Rockefellers, and big business men like the Radio and the General Electric groups, would have been able to see what any film mender could—that a project so immense could not have turned out successful under the conditions in which it was conceived and executed. They allowed one man to run wild with expenditure, unaware of the fact that one tear in a show is worth more than the hugest mechanical contrivances engineering ingenuity could conceive and skill could execute. They did not know that sixty-two hundred seating capacity theatres destroy the theatre's intimacy, a factor so essential for the success of a theatre. They proceeded to create the very thing that has destroyed the picture business—the large theatre, for the palaces have contributed as much to the destruction of the moving picture business as have other factors.

In the production end, nothing can be accomplished unless the making of pictures is removed from Hollywood. The producers have created there a Frankenstein, which is now devouring them. To keep business alive it is necessary that the story material selected is the kind that appeals to the people of America, of the world, for that matter, and the cost of production be brought down to the one hundred thousand dollar mark. The former cannot be accomplished, for the Hollywood mind is sex mad, and there is no chance for the latter, for to accomplish this it is necessary to reduce salaries to the bone, and to cut the cost of material to one-fourth; and the very persons who have authority to cut down salaries are unwilling to do it, for they would have to start from their own salaries. And they will not reduce the cost of the material, for in some cases they are interested in the sale of it themselves; and if they are not, they are unwilling to stop the flow of gold to the Coast, where they have huge real estate investments.

As far as the distribution end is concerned, nothing can be accomplished there either, for the debts brought about by the unfortunate theatre ventures are so big that, even if every other thing was done there can not be enough profits from the sale of pictures to pay the losses and keep the companies going.

Some friends of mine asked me if bankruptcy could put these companies in a better position to carry on; and bankruptcy means the wiping out of the money invested by the public in these enterprises, in the form of either stock or bonds. But it seems as if not even bankruptcy can save the situation. They are too far gone to be rescued even by such an expedient.

The only way by which something could be salvaged is, first, to remove production from Holly-

(Continued on last page)



**"Son-Daughter" with Ramon Novarro and Helen Hayes**

(MGM, released Dec. 24; running time, 80 min.)

Despite its artistic production and of Miss Hayes' excellent acting, "Son-Daughter" is too slow to be entertaining. In addition, it has a very unpleasant ending—the hero, who is a Chinese Prince, is murdered by a Chinese murderer, agent of the Manchus, because he was trying to aid those that were opposed to the Manchu dynasty to dethrone them. The heroine, too, is shown committing a cold-blooded murder—the murder of the agent of the Manchus; she is shown making his pigtail into a noose, and strangling him with it. It is the most realistic murder seen on the screen for some time. There are some charming scenes in it; those that show the coyness of Helen Hayes while she, as the beautiful Chinese maiden, is being wooed by Ramon Novarro, the Chinese Prince.

The plot has been founded on the play by David Belasco and George Scarborough. It was directed by Clarence Brown. Lewis Stone, Warner Oland, H. B. Warner and others are in the cast.

Not objectionable for Sunday showing but hardly suitable for children.

**"The Bitter Tea of General Yen" with Barbara Stanwyck and Nils Asther**

(Columbia, Jan. 6; running time, 85 min.)

The one thing that will kill this picture, to American audiences, at least, is the fact that a white woman is shown falling in love with a Chinese brigand general. Right or wrong, the idea of seeing a love affair between people of two dissimilar races, particularly when the woman is white, is extremely distasteful to American audiences. Besides this handicap, there is another, as serious—most of the action revolves around the doings of a villain, in this instance, a Chinese General, representing the revolutionists. He is presented as a cruel man, ordering the shooting of women and children, if they opposed his cause, just as unconcerned as he would change shoes. The only part of the picture where there are thrills is in the first two reels, where there is considerable shooting. Had the producers carried this melodramatic idea throughout the picture they would have produced a first-rate melodrama; unfortunately they departed from it, with the result that they have produced a picture which is, though artistic so far as the settings and the acting are concerned, slow in movement and unpleasant in taste:—

The heroine, an American girl, goes to China to marry her sweetheart, a missionary worker. They are to marry on the night of her arrival but relief work prevents them from carrying out their plans. She joins him in an effort to rescue some children from an orphanage which was in the section of the severest fighting. In the rush and excitement they are separated and the heroine is mobbed by some of the rebels. The leader of the rebels, General Yen, rescues her and places her in his private train. He takes her to his palace and makes several attempts to have her join him at dinner. She refuses and when he calls to see her in her room she insults him by calling him a yellow beast. This determines him not to free her; instead, he will attempt to win her affections. She resists all his attentions. The

general discovers that his concubine had been selling his political secrets and orders her to be killed. At the insistence of the heroine he spares the girl's life and places her in her care. But the girl betrays him again, this time causing his ruination. The heroine is heartbroken for having been the cause of his suffering, and her hatred turns into love. But the general does not want to live without power and puts poison into his tea cup. The heroine dresses herself in clothes he had previously sent her and comes to his room to give herself to him. Instead of accepting her offer he drinks the tea and dies. The heroine is returned to her people by the general's American adviser; he tells her she probably will not marry her former sweetheart because of her feelings for the dead general.

The plot was adapted from the novel by Grace Zaring Stone. It was directed by Frank Capra. In the cast are Gavin Gordon, Lucien Littlefield, Toshia Mari, Walter Connolly, Moy Ming, and others.

Not suitable for children or for Sunday showing.

**"Laughter In Hell" with Pat O'Brien**

(Universal, Jan. 12; running time, 67 min.)

A depressing, unpleasant, at times horrible, melodrama. From the very start it is made up of ugly situations, as for instance the death of the hero's mother, the unfaithfulness of his wife, and the murder of the wife and lover by the hero; then his sentence to the chain gang where one is shown the squalor and brutality of the system. Unlike "I Am A Fugitive From a Chain Gang," where the hero was innocent, little sympathy is felt for the hero in this picture, for he is a murderer. To add to all this, a plague is worked into the story; the chain gang prisoners are put to work digging graves, and an undertaker is seen going through the village crying out "bring out your dead." There is only one situation that has some suspense; it is where the hero escapes from the chain gang. Even with this there is no entertainment value at all to this picture, which will probably depress even the gayest person:—

The hero learns that his wife is unfaithful to him, her lover being his most hated enemy. He kills them both and gives himself up. He is sentenced to the chain gang for life, and the man at the head of it is the brother of the man he had killed. He subjects the hero to all forms of torture. The gang is taken to a town where a plague was killing off most of the people. They are ordered to dig graves. At a word from the hero, the men revolt and some of them make their escape. The hero is one of them. He enters a cottage and there finds the heroine alone and mourning; her entire family had died. She leaves the place with the hero and they are helped by a farmer, who gives them food and lodging. He knows the hero is an escaped fugitive, as does the heroine, but they do not betray him. The hero and the heroine leave the state; they plan to marry and settle down.

The plot was adapted from a story by Jim Tully. It was directed by Edward L. Cahn. In the cast are Merna Kennedy, Berton Churchill, Gloria Stuart, Arthur Vinton, Douglas Dumbrille, Noel Madison, and others.

Not suitable for children or for Sunday showing.

**"No Man of Her Own" with Clark Gable and Carole Lombard**

(Paramount, Dec.; running time, 80 min.)

Fairly entertaining for those who do not object to stories about crooks. The comedy situations are brought about by the innocence of the heroine who, believing the hero to be a business man, when in truth he is a crooked gambler, insists that he rise at seven o'clock, take a cold shower, and go to business. Many laughs are provoked by the hero's reactions to all this, and by his desire not to have the heroine find out the truth. At first he arouses no sympathy because he is a crook, and does not tell the heroine the truth about himself; but afterward, when he decides to reform and go to prison to clean up his record so as to be free to earn an honest living for the heroine, one feels some respect for him. The heroine at all times has the sympathy of the audience:—

The hero, a crooked gambler, decides it is best for him to leave New York for a time, so he goes to a small town. The heroine, employed in the public library of the town, is bored with the country life and longs for excitement. She meets the hero and falls in love with him. He thinks of her only as another conquest but she refuses to succumb. She is willing to marry him and tells him to flip a coin—she wins. He marries her and they go back to New York. In a short time she finds out what her husband's profession is and tells him he must choose between her and his profession. He is very much in love with her by this time and arranges matters so that she will go back home for three months. He tells her he is going to make a trip to South America. Instead, he gives himself up to the police, for the purpose of serving a sentence, so as to be left alone afterwards; he decided to go straight. He had a friend in South America send cables to the heroine. It is not until she comes back to New York that she finds out where the hero had been. There is a happy reconciliation when he, released from prison, goes back to her.

The plot was adapted from a story by Edmund Goulding and Benjamin Glazer. It was directed by Wesley Ruggles. In the cast are Dorothy Mackaill, Grant Mitchell, Elizabeth Patterson, J. Farrell MacDonald, Paul Ellis, and others.

Not suitable for children or for Sunday showing.

**"No Other Woman" with Irene Dunne and Charles Bickford**

(RKO, Jan. 6; running time, 57 min.)

A fairly entertaining drama, with much human interest. The fact that the hero behaves like a cad does not lessen the entertainment value of the picture since it adds to the sympathy one feels for the heroine. There are several exciting situations, the most dramatic one being that in the courtroom, where the hero, in an effort to obtain a divorce from the heroine so as to marry another woman, besmirches her name and character with lies and false witnesses. The interest is held to the very end because of the sympathy one feels for the heroine, who proves to be a person of noble character, especially in her treatment and understanding of the hero:—

The hero, a worker in a steel mill, loves the heroine, who runs a boarding house. She dreams

of leaving the ugly town and its squalor and of making something of her life. The hero and the heroine marry and she virtually slaves in order to save money for their future. After a few years of this, the hero revolts and goes out to get drunk and forget about the stinginess of his wife. The following morning he is repentant and begs her forgiveness. He also listens to her pleas to talk to one of their boarders who had invented a dye product. They invest all their savings in it and soon they become extremely wealthy. They are very happy especially since they have a charming son. While on a business trip the hero meets another woman and they have an affair. He absents himself from home on the pretext of business appointments so often that the heroine becomes suspicious. She follows him on one of these trips and confronts him. He confesses and asks her for a divorce, which she refuses saying that he loves her and that he will get over his affair with the other woman. Urged by the other woman, he starts divorce proceedings and at the trial has witnesses testify falsely. The heroine has no way of proving the testimony is a lie. But when the hero attempts to obtain custody of their child she flares up, says that everything they said about her is the truth, and that the hero is not the father of her child. The hero finally realizes how despicable he had been and in a crowded court room he confesses and says the heroine is innocent. He is sent to prison for a year. On his release he goes back to the mill town, not knowing that the heroine, too, had gone back there. Because of the scandal, their business had collapsed, but with a little money the heroine had saved, she bought a house in her old home town. As soon as she finds out about his presence, she rushes to him and they are reconciled when she says she forgives him.

The plot was adapted from the play "Just a Woman," by Eugene Walter, and the story by Owen Francis. It was directed by J. Walter Ruben. In the cast are Gwili Andre, Eric Linden, Buster Miles, Leila Bennett, Christian Rub, A. Carrol Naish, Hilda Vaughn, Brooks Benedict, and others.

Not suitable for children or for Sunday showing.

**"Haunted Gold" with John Wayne**

(Warner Bros., Dec. 17; running time, 57 min.)

Those who like spooky stories with fast action should enjoy this one. There are plenty of doings in this one, for the hero is shown going through the secret passages of a mine, either followed by or following the villains, whose one thought is to get hold of the gold nuggets that were hidden somewhere in the mine. There is a negro character (Blue Washington) who causes considerable mirth and at times provokes hearty laughter by his fear of ghosts, particularly in the situations where he thinks he is confronted by one of them. There is a love affair interwoven in the plot, in the development of which the hero is shown getting the best of the villains—rescuing the gold and winning the heroine as a wife.

Mack W. Right directed it. Sheila Terry, Otto Hoffman, Martha Mattox and others are in the supporting cast.

Good for children and for Sunday showing. But it should fit better on a Saturday program.



wood; secondly, to entrust production in competent hands; thirdly, to turn every theatre back to individual exhibitors; and fourthly, to create an open market for pictures so that he who is willing to pay the price may have a particular picture or pictures.

The first cannot happen, for as I said about a year ago those who have had the authority to remove production from Hollywood have big investments there and are unwilling to put them into jeopardy. The second can happen, but who is going to do it when those who are in power do not, in most instances, know what drama is? The third is now happening and will have to happen whether the producer theatre owners like it or not. The fourth is unlikely, unless Bill S. 3770 is made into a law, for it is almost impossible to convince the producers that moving the goods quickly is economically essential for the success of the business, for the person who makes pictures will then be able to get his money in a short time instead of waiting two years to do so. In the days of the General Film Company, pictures were considered "Commercial" after sixty days; that is "junk." Today some of the producer-exhibitors ask ninety days protection. At that time the producer would get eighty-five per cent of his money back in ninety days. Today, it takes one year or more. The consequence is that the producer is compelled to "hock" himself to get money enough to complete his production program.

You cannot, of course, compel the producers to remove production from Hollywood, nor can you force them to hire competent persons to choose the material and skilled producers to make pictures out of it; and it is not necessary for you to bring pressure upon them to divest themselves of the theatres they own, for they are already doing it. But you can bring about an open market for pictures. This you can do by working for Bill S. 3770, and Resolution S. 170, both on the Calendar of the Senate, awaiting action.

Get back of these two measures and save your investment! Do not listen to the advice of those who, either through lack of understanding, or because of self-interest, are urging you to fight them. They are the only measures that can help the industry, if anything can.

### **LOEW'S REDUCING ADMISSIONS BUT IS MGM REDUCING YOUR RENTALS?**

In Kansas City and in Providence the Loew theatres have reduced their prices, for matinees, to 15c and 25c, and for evenings, to 25c all over the house.

The exhibitors in those territories are up in arms as a result of this action on the part of the Loew executives; they point out to the fact that, if they, too, should reduce their prices to meet the situation created by this move, they will be unable to meet their film rentals, which were adjusted in accordance with the old conditions.

The move on the part of the executives of the theatre department of Metro-Goldwyn-Mayer is a serious one and every independent exhibitor should take it into consideration, for this may become general among the producer circuits, just as it has become in Providence, where the RKO and the Publix theatres have followed the Loew move.

If you are one of those who have been affected

by the lowering of prices by the circuit theatres you should demand an adjustment of your film rentals with all the companies with which you have contracts.

### **THE RADIO CITY THEATRES**

According to the signs, the Radio City theatre projects of RKO will be a complete flop, for the reason that the theatres are not situated centrally, the prices of admission are too high, and the cost of operating them is too big. Many exhibitors have wondered how the Music Hall, with sixty-two hundred seats, can be operated successfully as a vaudeville house when the centrally located Palace, with an established reputation of years and with the cost of operation low, could not be so operated!

The influence the erection of these theatres will have upon the picture business in New York City is destined to be extremely detrimental in case the Music Hall cannot be operated profitably as a vaudeville house, for in all probabilities it will be turned into a picture house, with a low admission price, in which event the receipts of almost every other picture theatre in Greater New York will be affected.

The erection of these two theatres was a blunder which its promoters did not realize. What effect it will have upon the fortunes of several people, time alone will tell. All its sponsors can now do is pray.

### **QUACK REMEDIES**

According to statements in the trade papers, the producers are planning to combine their distribution department so as to effect economies.

Combining the distribution departments is but a quack remedy, for the savings from such a move will not be enough to cover the losses occasioned by the waste in production. Since the sales forces of each distributor will have to be kept intact, the most that can be saved from the merging of the physical distribution will be fifteen per cent. This will hardly be enough to cover part of the waste in production, and will equal the losses the exhibitors will sustain by the chaos that will be created when the films of the different companies are shipped from the same place. There will be shipments missed, and consequently dark houses. There will, in fact, be times when shippers will not be able to locate films. I have had experience with shipping of film and I have some idea of the problem; I was assistant manager of the General Film Company in San Francisco, at the time this company bought the Novelty and the Turner & Dunkin Film Exchanges.

Let the producers stop kidding themselves. They know where they can save money but they are not attacking the problem in that spot.

### **A CORRECTION**

In the September 24 issue of HARRISON'S REPORTS I reviewed the Columbia picture "The Last Man." In a footnote at the bottom of the review it was said that the picture was a substitution. The statement that it is a substitution is correct. But the facts are somewhat erroneous. Here are the correct substitution facts:

"The Last Man" is replacing 2025 which is listed on the contract as "Gentlemen For Sale." No author's name is given but in the worksheet it is described as follows: "Gigolos—gentlement for sale to the ladies. Dealers in romance, but 'just a gigolo' and this is his romantic, dramatic story." Since "The Last Man" has nothing to do with gigolos it is a theme substitution.



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+ Girl From Calgary—Monogram (63 min.)	191	Mystery Ranch—Fox (58 min.).....111
+ Girl in the Cab, The—Paradise (See "Divorce Racket").....146		
+ Golden West, The—Fox (68 min.)	198	
+ Goona Goona—Regional-First Div. (65 min.)	143	
+ Guilty As Charged—Par. (See "Guilty As Hell").....131		



New Morals for Old—MGM (74 min.)	106
Night After Night—Paramount (72 min.)	179
Night Club Lady—Columbia (66 min.)	142
Night Mayor—Columbia (68 min.)	154
Night of June 13, The—Paramount (78 min.)	155
No More Orchids—Columbia (68 min.)	206
Okay America—Universal (80 min.)	142
Old Dark House, The—Universal (72 min.)	179
Once In a Lifetime—Universal (91 min.)	147
One Way Passage—Warner Bros. (67 min.)	150
Pack Up Your Troubles—MGM (68 min.)	166
Painted Woman, The—Fox (75 min.)	155
Passport to Hell, A—Fox (76 min.)	142
Payment Deferred—MGM (82 min.)	174
Penalty of Fame, The—Universal (See "Okay America")	142
Penguin Pool Murder, The—RKO (65 min.)	191
Phantom Express—Majestic (65 min.)	170
Phantom of Crestwood, The—RKO (76 min.)	171
Phantom President, The—Paramount (78 min.)	159
Pier 13—Fox (See "Me And My Gal")	207
Pride of the Legion, The—Mascot (73½ min.)	174
Prosperity—MGM (87 min.)	194
Purchase Price, The—Warner Bros. (67 min.)	118
Rackety Rax—Fox (65½ min.)	182
Rain—United Artists (93½ min.)	171
Rasputin—MGM	211
Rebecca of Sunnybrook Farm—Fox (76½ min.)	115
Red Dust—MGM (82 min.)	183
Red Headed Woman—MGM (78 min.)	111
Renegades of the West—RKO (55 min.)	187
Ride Him Cowboy—Warner Bros. (54 min.)	163
Roar of the Dragon—RKO (63½ min.)	123
Rockabye—RKO Pathe (68 min.)	190
Saddle Buster—RKO Pathe (57 min.)	114
Scarlet Dawn—Warner Bros. (62 min.)	183
Scarlet Week End—Irving Pict. (57 min.)	178
Secrets of the French Police—RKO (57½ min.)	187
70,000 Witnesses—Paramount (70½ min.)	147
Sherlock Holmes—Fox (68½ min.)	187
Sign of Four, The—Asso. Radio-World Wide (69 m)	123
Sign of the Cross—Paramount	203
Silver Dollar—First National (82 min.)	182
Sinister Hands—Willis Kent (70 min.)	134
Six Hours to Live—Fox (76 min.)	171
Skyscraper Souls—MGM (98 min.)	130
Smilin' Through—MGM (97 min.)	170
Soldiers of Fortune—Columbia (See "War Correspondent")	134
Son of Oklahoma—World Wide (53 min.)	130
Speak Easily—MGM (81 min.)	138
Speed Demon—Columbia (68 min.)	199
Sport of A Nation—Univ. (See "All American")	166
Sport Parade, The—RKO (64 min.)	175
Stoker, The—Allied Pict. (59½ min.)	122
Strange Interlude—MGM (112 min.)	146
Strange Justice—RKO (64 min.)	167
Stranger in Town—Warner Bros. (66 min.)	115
Successful Calamity, A—Warner Bros. (71 min.)	143
Tess of the Storm Country—Fox (78 min.)	191
Texas Bad Man, The—Universal (61 min.)	158
That's My Boy—Columbia (71 min.)	190
Theft of the Mona Lisa, The—RKO (82 min.)	194
They Call It Sin—First National (80 min.)	179
Thirteenth Guest, The—Monogram (69 min.)	134
Thirteen Women—RKO (60 min.)	162
This Sporting Age—Columbia (67 min.)	162
Three on a Match—First National (63 min.)	178
Thrill of Youth—Invincible (63 min.)	182
Those We Love—KBS Tiffany (72 min.)	151
Tiger Shark—First National (78 min.)	146
Tom Brown at Culver—Universal (77 min.)	119
Too Busy To Work—Fox (77 min.)	199
Trailing the Killer—World Wide (64 min.)	199
Trouble in Paradise—Paramount (81 min.)	186
Two Against the World—Warner Bros. (69 min.)	138
Two Fisted Law—Columbia (57 min.)	115
Unashamed—MGM (75 min.)	118
Under-Cover Man—Paramount (73 min.)	198
Unholy Love—Allied Pict. (68 min.)	155
Unwritten Law, The—Majestic (66 min.)	194
Uptown New York—KBS Tiffany (76 min.)	202
Vanishing Frontier, The—Paramount (63 min.)	138
Vanity Street—Columbia (65 min.)	170
Virtue—Columbia (67 min.)	178

War Correspondent—Columbia (76 min.)	134
Washington Masquerade—MGM (87 min.)	122
Washington Merry-Go-Round—Columbia (79 min.)	171
Way of Life, The—First National (See "They Call It Sin")	179
Western Code, The—Columbia (57 min.)	167
Western Limited—Monogram (60 min.)	174
White Eagle—Columbia (66 min.)	174
White Zombie—Halperin-United Artists (68 min.)	126
Wild Girl—Fox (77 min.)	179
Wild Horse Mesa—Paramount (60 min.)	206
With Williamson Beneath the Sea—Principal (56m)	195
Woman in Chains—Associated (68 min.)	190
Working Wives—F. N. (See "Week End Marriage")	94
You Said A Mouthful—First Nat'l. (71 min.)	190

## RELEASE SCHEDULE FOR FEATURES

### Columbia Features

(729 Seventh Ave., New York, N. Y.)

3008 Man Against Woman—Holt-Connolly	Nov. 15
3814 Forbidden Trail—Buck Jones	Nov. 18
3006 No More Orchids—Lombard-Talbot	Nov. 25
3914 End of the Trail—Tim McCoy	Dec. 9
3016 As The Devil Commands—Hamilton-Clarke	Dec. 24
3815 Sundown Rider—Buck Jones	Dec. 30
3002 Bitter Tea of General Yen—Stanwyck	Jan. 6
3017 East of Fifth Avenue—Carrillo-Wilson	Jan. 15
3915 Man of Action—Tim McCoy	Jan. 20
3816 Treason—Buck Jones	Feb. 10

### First National Features

(321 W. 44th St., New York, N. Y.)

713 Cabin in the Cotton—R. Barthelmess	Oct. 15
721 Three On A Match—Blondell-William	Oct. 29
724 They Call It Sin—Young-Brent	Nov. 5
727 You Said A Mouthful—Brown-Rogers	Nov. 26
720 Central Park—Blondell-Ford-Kibbee	Dec. 10
717 Silver Dollar—Robinson-Daniels	Dec. 24
703 The Match King—William-Damita (reset)	Dec. 31
708 Frisco Jenny—Chatterton-Calhern	Jan. 14
701 20,000 Years in Sing Sing—Tracy-Davis	Special
711 Employees' Entrance—Young-William (re.)	Feb. 11

### Fox Features

(444 W. 56th St., New York, N. Y.)

5 Hat Check Girl—Eilers-Lyon-Rogers	Sept. 25
38 Wild Girl—Farrell-Bennett-Bellamy	Oct. 9
11 6 Hours to Live—Baxter-Boles-Jordan	Oct. 16
10 Rackety Rax—McLaglen-Nissen	Oct. 23
26 The Golden West—O'Brien-Chandler	Oct. 30
16 Sherlock Holmes—Brook-Jordan	Nov. 6
9 Too Busy to Work (Jubilo)—Will Rogers	Nov. 13
2 Tess of the Storm Country—Gaynor-Farrell	Nov. 20
3 Call Her Savage—Bow-Todd-Young	Nov. 27
35 Me and My Gal (Pier 13)—Bennett (re.)	Dec. 4
No release set for	Dec. 11
No release set for	Dec. 18
15 Handle With Care—Mallory-Dunn-Brendel	Dec. 25
24 Robber's Roost—George O'Brien (reset)	Jan. 1
12 Second Hand Wife—Eilers-Bellamy	Jan. 8
32 Face in the Sky—Tracy-Nixon-Erwin	Jan. 15
43 Hot Pepper—McLaglen-Lowe-Velez	Jan. 22
39 Dangerously Yours—Baxter-Jordan	Jan. 29
17 The Infernal Machine—Morris-Tobin	Feb. 5
(No. 13 "Walking Down Broadway" has been temporarily withdrawn.)	

### KBS-Tiffany Features

(Distributed by World Wide, 1501 Broadway, New York)

3106 Tombstone Canyon—Ken Maynard	Dec. 25
3002 Auction in Souls—Nagel-Hyams	Jan. 25
3103 Drum Taps—Ken Maynard	Jan. 29

### Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

-229 Smilin' Through—Shearer-March-Howard	Sept. 24
-239 Kongo (Honolulu)—Huston-Velez-Nagel	Oct. 1
-225 Faithless—Montgomery-Bankhead	Oct. 15
-205 The Mask of Fu Manchu—Karloff	Nov. 5
-252 Prosperity—Dessler-Moran-Page	Nov. 12
-217 Fast Life (Let's Go)—Haines-Evans	Nov. 17
-227 Son Daughter—Novarro-Haves-Oland	Dec. 24

### Beginning of 1932-33 Season

-349 Grand Hotel—Garbo-Barrymore-Crawford	Sept. 10
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- 328—Pack Up Your Troubles—Laurel and Hardy...Sept. 17
- 336—Payment Deferred (Marquee No. 1) Laughton...Oct. 8
- 319—Red Dust (Gable No. 1)—Gable-Harlow....Oct. 22
  - No release scheduled for .....Oct. 29
  - No release scheduled for .....Nov. 19
  - No release scheduled for .....Nov. 26
  - No release scheduled for .....Dec. 3
- 304—Flesh (Beery No. 1)—(reset) .....Dec. 10
- 350—Strange Interlude—Shearer-Gable .....Dec. 31

### Monogram Features

(723 Seventh Ave., New York, N. Y.)

- Thirteenth Guest—Rogers-Talbot .....Sept. 3
- From Broadway to Cheyenne—Rex Bell.....Sept. 10
- Klondike—Todd-Talbot-Hawks-Walthall .....Sept. 15
- The Girl From Calgary—Fifi O'Orsay.....Sept. 24
- Hidden Valley—Bob Steele .....Oct. 10
- Man from Arizona—Rex Bell .....Oct. 21
- Young Blood—Bob Steele .....Nov. 5
- Guilty or Not Guilty—Dell-Compson .....Nov. 15
- Strange Adventure (Wayne Murder Case).....Nov. 25
- Lucky Larrigan—Rex Bell .....Nov. 30
- The Fighting Champ—Bob Steele .....Dec. 15
- Self-Defense (Man's Law)—Fredericks .....Dec. 15
- Rangers Ride Again—Rex Bell .....Dec. 20
- Diamond Trail—Rex Bell .....Dec. 30
- Crashing Broadway—Rex Bell .....Jan. 15
- Jungle Bride—Page-Starrett (reset) .....Jan. 15
- West of Singapore—Betty Compson.....Jan. 30
- Black Beauty—(reset) .....Feb. 15

### Paramount Features

(1501 Broadway, New York, N. Y.)

- 3220 If I Had a Million—March-Sidney—Special...Nov.
- 3221 Under Cover Man—Raft-Carroll .....Dec. 2
- 3222 The Devil Is Driving—Lowe-Gibson.....Dec. 9
- 3223 Madame Butterfly—Sidney-Grant .....Dec. 30
- 3224 Island of Lost Souls—Laughton—Spec. ....Dec.
- 3225 No Man of Her Own—Lombard-Gable, Spec...Dec.
- 3227 The Billion Dollar Scandal—Armstrong-Cummings (6,881 ft.) .....Jan. 6
- 3216 A Farewell to Arms—Hayes-Cooper .....Jan. 6
- 3228 Tonight Is Ours—Colbert-March .....Jan. 13
- 3229 The Mysterious Rider—Taylor-Patrick .....Jan. 20
- 3230 She Done Him Wrong—West-Grant-Beery ..Jan. 27
- Luxury Liner—Brent-Johann-Osborne .....Feb. 3
- The Crime of the Century—Hersholt-Dee....Feb. 10

### RKO Features

(1560 Broadway, New York, N. Y.)

- 31150 Men of America—Bill Boyd.....Dec. 9
- 31117 The Half Naked Truth—Velez-Tracy ....Dec. 16
- 31143 The Animal Kingdom—Harding-Howard ..Dec. 23
- 31111 Penguin Pool Murder—Oliver-Gleason ...Dec. 30
- 31146 No Other Woman—Dunne-Bickford .....Jan. 6
- 31133 Monkey's Paw—Smith-Simpson-Carter ...Jan. 13
- 31118 Past of Mary Holmes—MacKellar-Linden..Jan. 20
- 31124 Cheyenne Kid—Tom Keene .....Jan. 20
- 31155 Goldie Gets Along—Damita-Morton .....Jan. 27
- 31151 Lucky Devils—Boyd-Wilson-Gargan ....Feb. 3
- 31158 Sailor Be Good—Osborne-Oakie .....Feb. 10
- 31139 The Great Jasper—Dix-Engels .....Feb. 17

### United Artists Features

(729 Seventh Ave., New York, N. Y.)

- White Zombie—Bela Lugosi .....Aug. 4
- Mr. Robinson Crusoe—Douglas Fairbanks.....Aug. 19
- Rain—Joan Crawford-Walter Huston.....Oct. 22
- Magic Night—Jack Buchanan .....Nov. 5
- Cynara—Ronald Colman-Kay Francis .....Dec. 23

### Universal Features

(730 Fifth Ave., New York, N. Y.)

- A5015—The Old Dark House—Karloff-Douglas ..Oct. 20
- A5003—Airmail—Bellamy-O'Brien .....Nov. 3
- A5011—Afraid To Talk (Shanghai Interlude) ...Nov. 17
- A5071 Flaming Guns—Tom Mix (5305 ft.).....Dec. 22
- A5010—The Mummy (Cagliostro)—Karloff (6772 ft.) .....Dec. 22
- A5017—They Just Had To Get Married—Summer-ville-Pitts (6380 ft.) (reset) .....Jan. 5
- A5004—Laughter in Hell—O'Brien (6484 ft.) (re) ..Jan. 12
- A5009—Nagana (Pagan River)—Birell-Douglas...Jan. 19
- A5013—Destination Unknown (S.S. San Pedro)..Jan. 26
- A5072 The Terror Trail—Tox Mix .....Feb. 2

### Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 421 One Way Passage—Powell-Francis-McHugh.Oct. 22
- 417 Scarlet Dawn (Revolt)—Fairbanks, Jr.....Nov. 12
- 402 I Am a Fugitive from a Chain Gang—Muni...Nov. 19
- 434 Haunted Gold—John Wayne-Sheila Terry....Dec. 17
- 430 Lawyer Man—Powell-Blondell .....Jan. 7
- 418 Parachute Jumper—Fairbanks, Jr.-Davis....Jan. 28
- 424 Hard to Handle—Cagney-Brian .....Jan. 28
- 358 Ladies They Talk About—Barbara Stanwyck..Feb. 4
- (*"Ladies They Talk About," with Barbara Stanwyck, released February 4, 1933, is a 1931-32 release.*)

### World Wide Features

(1501 Broadway, New York, N. Y.)

#### Beginning of 1932-33 Season

- 3015 The Crooked Circle—Lyon-Purcell .....Sept. 25
- 3020 Breach of Promise—Morris-Clarke .....Oct. 23
- 3022 Trailing the Killer—Special .....Dec. 4
- 3001 Hypnotized—Moran and Mack .....Dec. 25
- (No. 3012 *"Tarnished Youth"* has been withdrawn.)

### SHORT SUBJECT RELEASE SCHEDULES

#### Columbia—One Reel

- 11 Medbury in the Philippines (travel) (9½ m.)..Nov. 11
- 12 Medbury in Wonders of the World (9 min.)...Dec. 13
- 13 Medbury Among Dancing Nations (9 min.)...Dec. 23
- (*End of 1931-32 Season*)
- 4 The Flop House—Scrapyps (cartoon).....Nov. 9
- 4 Snow Time—Krazy Kat (cart.) (6 min.)....Nov. 30
- 6 Snapshots (Hollywood topics (9½ min.)....Nov. 30
- 5 Bad Genius—Scrapyps (cart.) (6 min.).....Dec. 1
- 5 Minstrel Show—Krazy Kat (cart.) (6½ m.)..Dec. 15
- 2 Horse Sense—World of Sports .....Dec. 29

#### Columbia—Two Reels

- 2 Shave It With Music—Lambs Gambol (19 m.)..Oct. 15
- 2 Mind Doesn't Matter—Sunrise com. (19½m.) Nov. 21
- 3 Lambs All Star Gambol—Lambs' Gambol (21½ min.) .....Dec. 20

#### Educational—One Reel

(1501 Broadway, New York, N. Y.)

- 321102 Killers—Battle for Life (10 min.).....Oct. 30
- 321302 The Iceless Arctic—Camera Adv. (11m.)..Nov. 6
- 321403 Traffic—Hodge Podge .....Nov. 6
- 321503 Stable Manners—Bray's Naturegraphs ...Nov. 6
- 320907 The Forty Thieves—Terry-Toon (6 m.)...Nov. 13
- 321404 The Wonder City—Hodge-Podge (9 m.)..Nov. 20
- 320908 Toyland—Terry-Toon (6 m.).....Nov. 27
- 321103 Desert Demons—Battle for Life.....Nov. 27
- 321202 The Gaslit Nineties—Do You Remember? (8 min.) .....Nov. 27
- 321703 The Acid Test—Tom Howard com. (11m.)..Nov. 27
- 321504 Our Noble Ancestors—Brays Nat. (9 m.)....Dec. 4
- 321603 Michigan—Spirit of the Campus (8 m.)..Dec. 4
- 321802 Broadway Gossip No. 2—News (11 m.)...Dec. 11
- 320909 Hollywood Diet—Terry-Toon (6 m.)....Dec. 11
- 321405 Down On The Farm—Hodge-Podge .....Dec. 18
- 321601 Cornell—Spirit of the Campus .....Dec. 18
- 321104 Not Yet Titled—Battle for Life.....Dec. 25
- 320910 Ireland or Bust—Terry-Toon (6 min.)....Dec. 25
- 321406 Across America in 10 Minutes—Hodge-P..Jan. 1
- 321505 Wild Company—Bray's Naturegraphs ....Jan. 1
- 320911 Jealous Lover—Terry-Toon (6 min.)....Jan. 8
- 321303 Taming the Wildcat—Camera Adven.....Jan. 15
- 321407 The Animal Fair—Hodge-Podge .....Jan. 15
- 320912 Robin Hood—Terry-Toon .....Jan. 22
- 321105 Not Yet Titled—Battle for Life .....Jan. 22
- 321203 When Dad Was a Boy—Do You Remember? Jan. 22

#### Educational—Two Reels

- 320703 In the Clutches of Death—Great Hokum mystery (14 min.) .....Nov. 13
- 320502 Torchy Rolls His Own—Torchy c. (21m) Nov. 20
- 320103 A Fool About Women—Clyde c. (22m)...Nov. 27
- 320302 The Vest with a Tale—Mermaid c. (22m).Dec. 4
- 320603 A Hockey Hick—Gleason's Sports (19m).Dec. 11
- 320402 Hollywood Runaround—Vanity c. (20m)..Dec. 18
- 320104 Boy, Oh Boy!—Clyde com. (21 m.)....Dec. 25
- 320303 Tired Feet—Mermaid com. (14 m.).....Jan. 1
- 320704 The Evil Eye Conquers—Gt. Hokum Mys..Jan. 8
- 320805 A Brahmin's Daughter—operologue .....Jan. 8
- 320403 Keyhole Katie—Vanity comedy .....Jan. 15



## Fox—One Reel

20 In the Guianas—(9 min.)	Dec. 25
21 Mediterranean Memories (9 min.)	Jan. 1
22 Lure of the Orient (9½ min.)	Jan. 8
23 Here Comes the Circus (9 min.)	Jan. 15
24 Sicilian Sunshine (8½ min.)	Jan. 22
25 Gorges of the Giants (9 min.)	Jan. 29

## Metro-Goldwyn-Mayer—One Reel

S-746 Pigskin—Sport Champions (8 min.)	Oct. 22
F-723 Music Lesson—Flip the Frog. (cart.) (8m)	Oct. 29
M-764 Duck Hunters Paradise—Oddities (9m)	Nov. 5
S-747 Blocks and Tackles—Sport Champ. (10m)	Nov. 5
S-748 Football Footwork—Sport Champ. (10m)	Nov. 19
T-704 Rio the Magnificent—Fitzpatrick travel-talks (9 min.)	Nov. 19
F-724 The Nursemaid—Flip the Frog (car.) (7m)	Nov. 26
M-765 The Toy Parade—Oddities (10 m.)	Dec. 3
S-744 Swing High—Sport Champ. (10 min.)	Dec. 10
T-705 Leningrad, Gateway to Soviet Russia—Fitzpatrick Traveltalks (9 m.)	Dec. 17
F-725 Not Yet Titled—Flip the Frog	Dec. 24
M-766 Whisperin' Bill—Oddities	Dec. 31
S-745 Chalk Up—Sport Champ. (10 min.)	Jan. 7
T-706 Iceland, Land of the Vikings—Fitzpatrick Traveltalks (9 min.)	Jan. 14
F-726 Not Yet Titled—Flip the Frog	Jan. 21
S-749 Motorcycle Mania—Sport Champ. (9 m.)	Jan. 28

## Metro-Goldwyn-Mayer—Two Reels

C-623 Free Wheeling—Our Gang com. (20 m.)	Nov. 12
C-613 Now We'll Tell One—C. Chase (19 m.)	Nov. 19
R-662 Wild People—Revues (18 min.)	Nov. 26
S-644 Taxi For Two—Taxi Boys com. (18 m.)	Dec. 3
C-634 Sneak Easily—Pitts-Todd comedy	Dec. 10
C-624 A Lad an' a Lamp—Our Gang com. (17m)	Dec. 17
C-614 Mr. Bride—C. Chase com. (19 m.)	Dec. 24
C-603 Towed in a Hole—Laurel-Hardy (21 m.)	Dec. 31
R-663 Not Yet Titled—Revues	Jan. 7
C-645 Bring 'Em Back a Wife—Taxi Boys (20m)	Jan. 14
C-635 Not Yet Titled—Pitts-Todd comedy	Jan. 21
C-625 Fish Hooky—Our Gang com. (19 min.)	Jan. 28
C-615 Fallen Arches—C. Chase com. (19 min.)	Feb. 4

## Paramount—One Reel

Y2-6 Screen Souvenirs No. 6—Novelty (9½ m.)	Dec. 23
P2-6 Paramount Pictorial No. 6 (9½ min.)	Dec. 30
T2-9 Betty Boop's Ker-Choo—cart. (6½ min.)	Jan. 6
R2-6 Over the Jumps—Sports-Eye-View (10m)	Jan. 6
Sc2-9 Dinah—Screen Song (7 min.)	Jan. 13
Z2-6 Hollywood on Parade No. 6 (9½ min.)	Jan. 13
A2-7 Hawaiian Fantasy—Headliner (5½ min.)	Jan. 20
Y2-7 Screen Souvenirs No. 7—Novelty (10 m.)	Jan. 20
T2-10 Betty Boop's Crazy Inventions—cart.	Jan. 27
P2-7 Paramount Pict. No. 7 (9½ min.)	Jan. 27
SC2-10 Ain't She Sweet—Screen Song	Feb. 3

## Paramount—Two Reels

S2-2 Ma's Pride and Joy—Sennett star (20 m.)	Oct. 14
M2-2 False Impressions—Sennett com. (20 m.)	Nov. 4
S2-3 Bring 'Em Back Sober—Sennett c. (17½m)	Nov. 18
S2-4 The Dentist—Sennett Star (21½ min.)	Dec. 9
M2-3 Doubling in the Quickies (A Hollywood Double)—Sennett com. (18½m) (reset)	Dec. 16
M2-4 The Lion and the House—Sennett (18½m)	Dec. 23
M2-5 The Human Fish—Sennett com. (21½m)	Dec. 30
S2-5 Blue of the Night—Bing Crosby (21½m)	Jan. 6
M2-6 Don't Play Bridge with Your Wife—Sennett	Jan. 13
M2-7 The Wrestlers—Sennett comedy	Jan. 20
S2-6 The Singing Boxer—Sennett star	Jan. 27

## RKO—One Reel

34105 Venice Vamp—Fables (cart) (6 min.)	Nov. 4
34204 Piano Tuners—Tom & Jerry (car.) (7½m)	Nov. 11
34106 Hokum Hotel—Fables (cart.) (7 min.)	Nov. 18
34303 Maylasia—Vagabond No. 3 (9 min.)	Nov. 25
34107 Picanniny Blues—Fables (cart.) (6½m)	Dec. 2
34205 Pencil Mania—Tom & Jerry (car.) (6½m)	Dec. 9
34108 A Yarn of Wool—Fables (cart.) (6½m)	Dec. 16
34503 Pathe Review No. 3 (11 min.)	Dec. 23
34109 Bugs and Books—Fables (cart.) (6½m)	Dec. 30
34110 Silvery Moon—Fables (cart.) (6 m.)	Jan. 13
34304 Holland Mosaics—Vagabond No. 4	Jan. 20
34111 Tumbledown Town—Fables (cart.) (6 m.)	Jan. 27

## RKO—Two Reels

33402 Firehouse Honeymoon—Sweet No. 2 (18m.)	Oct. 28
33503 The Rink—Chaplin No. 3 (20 m.)	Nov. 11
33102 Bride's Bereavement or A Snake in the Grass—Masquers No. 2 (19 min.)	Nov. 18
33601 Shampoo the Magician—Head. No. 1 (17m)	Nov. 25
33702 Mickey's Charity—McGuire No. 2 (17½m)	Dec. 2
33303 Fish Feathers—Kennedy No. 2 (18m.)	Dec. 16
33504 Floor Walker—Chaplin No. 4 (20m.)	Dec. 23
33203 Jitters the Butler—Clark-McCullough No. 3 (20½ min.)	Dec. 30
33403 Loops My Dear—Sweet No. 3 (17 m.)	Jan. 6

## United Artists—One Reel

4 Touchdown Mickey—M. Mouse (cart.) (6½m)	Oct. 7
5 The Wayward Canary—M. Mouse (cart.) (7m)	Oct. 28
6 Babes in the Wood—S. Symphony (cart.) (8m)	Nov. 4
6 The Klondike Kid—M. Mouse (cart.)	Nov. 18
7 Santa's Work Shop—S. Symphony (car.) (7m)	Dec. 2
7 Mickey's Good Deed—M. Mouse (cart.) (8m)	Dec. 9

## Universal—One Reel

A4505 The Good Old Days—Novelty (11 min.)	Nov. 21
A5305 Cats and Dogs—Pooch cart. (7 m.)	Dec. 5
A5204 Strange As It Seems No. 25 (9 m.)	Dec. 12
A5404 Teacher's Pest—Oswald cart. (7 m.)	Dec. 19
A5949 Down Memory Lane—Radio Reel (10½m)	Dec. 26
A4506 Boo—Novelty (9½ min.)	Dec. 26
A5306 The Merry Dog—Pooch cartoon (8 min.)	Jan. 2
A5205 Strange As It Seems No. 26	Jan. 9
A5405 Oswald, the Plumber—Oswald cart.	Jan. 16
A5938 I Know Everybody and Everybody's Racket—Walter Winchell—Radio Reel	Jan. 23
A4507 Lizzi Strata—Novelty	Jan. 23
A5307 The Terrible Troubador—Pooch cart.	Jan. 30

## Universal—Two Reels

A5702 Racing Death—Lost Special No. 2 (20 m.)	Dec. 12
A5946 Art Jarrett with Nick Kenney (20½m)	Dec. 12
A5109 Lights Out—Gleason comedy (20½m)	Dec. 14
A5703 The Red Lantern—Lost Spec. No. 3 (19m)	Dec. 19
A5704 Devouring Flames—Lost Sp. No. 4 (20m)	Dec. 26
A5110 My Operation—Barnett-Clyde c. (21m)	Dec. 28
A5705 The Lightning Strikes—Lost Special No. 5 (18½ min.)	Jan. 2
A5706 House of Mystery—Lost Sp. N. 6 (21½m)	Jan. 9
A5111 Family Troubles—Armetta c. (21½m)	Jan. 11
A5707 The Tank-Room Terror—L. Spec. No. 7 (20½ min)	Jan. 16
A5708 The Fatal Race—Lost Spec. No. 8 (17½m)	Jan. 23
A5113 Rockabye Cowboy—Gleason com. (21m)	Jan. 25

## Vitaphone—One Reel

6803 A Great Big Bunch of You—Merrie Mel. (7 min.)	Nov. 12
6906 Rambling Around Radio Row No. 2—Pepper Pot (9 min.)	Nov. 19
6703 Bosko's Dizzy Date—Looney Tunes (7m)	Nov. 19
6604 Curious Customs—Newman Ad. (10m)	Nov. 26
7003 Small's Paradise Band—Melody Mast. (9m)	Nov. 26
7004 Roger Wolf Kahn—Melody Mast. (9m)	Nov. 29
6907 Babe o' Mine—Pepper Pot (9 min.)	Dec. 3
6504 Sport Thrills No. 4	Dec. 3
6804 Three's a Crowd—Merrie Melodies (7m)	Dec. 10
6908 Dangerous Occupations—Pepper Pot	Dec. 17
6704 Bosko's Woodland Daze—Looney Tunes	Dec. 17
7005 Willie Creager—Melody Master	Dec. 24
6605 From Bethlehem to Jerusalem—Newman World Adventures	Dec. 24
6909 Out of the Past—Pepper Pot (9 min.)	Dec. 31
6805 Shanty Where Santa Claus Lives—Merrie Melodies	Jan. 7
6705 Bosko in the Ditch—Looney Tunes	Jan. 14
6910 Love Thy Neighbor—Pepper Pot com. (9 m)	Jan. 14
7006 The Continentals—Melody Masters	Jan. 21
6606 High Spots of Far East—Newman Adv.	Jan. 21

## Vitaphone—Two Reels

7206 The Run Around—Wm. Demarest comedy	Dec. 10
7108 Moonbeams—Broadway Brevities	Dec. 17
7109 Poor Little Rich Boy (Bad Boy)—Phil Baker—Broadway Brevities	Dec. 31
7207 Trouble Indemnity—Big "V" comedy	Jan. 7
7110 Hey Hcv Westerner—Bway. Brev. (17 min.)	Jan. 14
7208 The Build Up—Jack Haley comedy	Jan. 21

## NEWSWEEKLY NEW YORK RELEASE DATES

### Universal News

(Instead of starting with No. 1 for the new Volume, [No. 5], Universal is continuing the same numbers. No. 105 starts the new volume.)

105 Wednesday	Dec. 23
106 Saturday	Dec. 31
107 Wednesday	Jan. 4
108 Saturday	Jan. 7
109 Wednesday	Jan. 11
110 Saturday	Jan. 14
111 Wednesday	Jan. 18
112 Saturday	Jan. 21
113 Wednesday	Jan. 25
114 Saturday	Jan. 28
115 Wednesday	Feb. 1
116 Saturday	Feb. 4
117 Wednesday	Feb. 8
118 Saturday	Feb. 11

### Pathe News

35222 Wed. (E.)	Dec. 23
35123 Sat. (O.)	Dec. 31
35223 Wed. (E.)	Jan. 4
35124 Sat. (O.)	Jan. 7
35224 Wed. (E.)	Jan. 11
35125 Sat. (O.)	Jan. 14
35225 Wed. (E.)	Jan. 18
35126 Sat. (O.)	Jan. 21
35226 Wed. (E.)	Jan. 25
35127 Sat. (O.)	Jan. 28
35227 Wed. (E.)	Feb. 1
35128 Sat. (O.)	Feb. 4
35228 Wed. (E.)	Feb. 8
35129 Sat. (O.)	Feb. 11

### Paramount News

43 Saturday	Dec. 31
44 Wednesday	Jan. 4
45 Saturday	Jan. 7
46 Wednesday	Jan. 11
47 Saturday	Jan. 14
48 Wednesday	Jan. 18
49 Saturday	Jan. 21
50 Wednesday	Jan. 25
51 Saturday	Jan. 28
52 Wednesday	Feb. 1
53 Saturday	Feb. 4
54 Wednesday	Feb. 8
55 Saturday	Feb. 11

### Fox Movietone

31 Wednesday	Jan. 4
32 Saturday	Jan. 7
33 Wednesday	Jan. 11
34 Saturday	Jan. 14
35 Wednesday	Jan. 18
36 Saturday	Jan. 21
37 Wednesday	Jan. 25
38 Saturday	Jan. 28
39 Wednesday	Feb. 1
40 Saturday	Feb. 4
41 Wednesday	Feb. 8
42 Saturday	Feb. 11

### Metrotone News

228 Saturday	Dec. 31
229 Wednesday	Jan. 4
230 Saturday	Jan. 7
231 Wednesday	Jan. 11
232 Saturday	Jan. 14
233 Wednesday	Jan. 18
234 Saturday	Jan. 21
235 Wednesday	Jan. 25
236 Saturday	Jan. 28
237 Wednesday	Feb. 1
238 Saturday	Feb. 4
239 Wednesday	Feb. 8
240 Saturday	Feb. 11



# HARRISON'S REPORTS

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Devoted Exclusively to the Interests of Exhibitors

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Columns, if it is to Benefit the Exhibitor.

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, JANUARY 14, 1933

No. 2

### WHAT OTHER EXHIBITORS ARE DOING FOR BILL S. 3770 AND FOR RESOLUTION S. 170

Under "AMUSEMENT NOTES," Mr. J. F. Cass, who conducts a picture theatre in Sumner, Iowa, inserted the following article in his house organ:

"Theatre Owners in small towns, whose patronage is largely composed of families and children, are often condemned by the public for a certain type of demoralizing pictures sometimes shown. It is therefore time for the blame to be put where it belongs.

"The small town theatre man is powerless to keep his screen continuously clean, for in no other line of business is there such a vicious complete control of the business and political influence demonstrated as dominates the picture industry. Pictures are sold to independent theatres by what is known as the block booking system, and NO OTHER WAY. Take it or leave it. That means a lot or block of pictures must be bought at the same time or none will be sold. Many of the pictures are not made when sold. It is literally a cat in the bag transaction. The theatre man has only the word of the salesman who naturally will deny any smut in their product. And then when the contract block of pictures are playing along comes one or more that looks as if the only reason it was made was to give some moron executive or director an opportunity to exploit his vile sex instincts and dirty wise cracks. What can a poor theatre man do but hide when the father, mother and children exit with justifiable wrath in the parent's hearts toward the theatre management?

"When the public understands the situation they may ask why these picture magnates are not punished by law the same as other makers of obscene literature and pictures? Well, now comes the story. Eleven years ago the Federal Trade Commission made a thorough investigation and issued a cease and desist order. The picture people refused to obey. The Commission has power to enforce their orders only through the courts. This they started to do and just recently, after a nearly eleven year drift of the case, it is reported the Attorney General had it dismissed. All efforts at censorship and legislation to regulate have failed in the past. Why? No one seems to know, but it is a fact that Mr. Will H. Hays, Ex-Postmaster General, also an ex-private secretary of President Hoover, are employed by the picture interests at huge salaries and neither gentleman has had any experience in picture production.

"There is, however, a chance now for the public to get relief if they would unite immediately and get Congress to pass Senate bills S. 3770 and S. 170 now before the short session. These bills are for the investigation of the industry and to stop block booking, and other provisions that will put your local theatre owner in a position to furnish clean, wholesome entertainment. All good societies, women's clubs, and every other good citizen should unite and deluge Congress to pass those bills at once and clean up the screen. It goes without saying that Mr. Hays and all his people are trying to move heaven and earth to stop these bills."

The article is written so well, and covers the point so thoroughly, that I am bringing it to the attention of you all so that those of you who are in favor of these two measures may reprint it, passing it to the people of your town. The ordinary layman believes that the one responsible for the showing of demoralizing pictures is you, the exhibitor, and anything you can do to disillusion them will be serving your interests. The producers are doing all they can to put the blame on you. Their latest effort was exerted in the evening of January 5, during the Lucky Strike Hour, when the announcer read a telegram addressed to Will H. Hays, giving his "peerless leadership" credit for keeping the screens of the country "clean." There is no question in my mind that

this propaganda was undertaken with the object of fighting Bill S. 3770 and Resolution S. 170; they know that a direct attack on these two measures is dangerous and are resorting to indirect attacks, a method which is more effective.

Whether you believe in the passing of the Bill or not, it is your duty to distribute the Cass article to your patrons, for you cannot afford to let your public remain under the impression that the pictures the members of the Hays organization deliver to you are clean, and that whatever unclean pictures are shown on your screens are shown because you are dirty-minded. Those of you who believe in this Bill will have one more reason why you should reprint it and pass it to all the people of your town, for you will, in addition to setting them straight on the dirty pictures, be getting support for the Bill and the Resolution. You can get more recruits if you should mention also the fact that Resolution S. 170 was designed to investigate what has become of the money the public has invested in worthless moving picture stocks and bonds. Millions of people have lost money in such securities and if you tell them that the investigation will look also into that matter, you will get their whole-hearted support.

The Hays crowd seem to have lost their nonchalance lately towards these two measures. Manifestly they are beginning to fear that the work you have done will put them over. And this is one reason why you should redouble your efforts. Do not leave things to chance! Work for the measures as hard as you can!

### ADOLPH ZUKOR AGAIN IN THE PARAMOUNT SADDLE

With the resignation of John Hertz, the chairman of the Finance Committee of Paramount Pictures Corporation, Mr. Adolph Zukor once again becomes the ruling factor in the company, the leadership of which he had lost when Hertz, on the recommendation of Sam Katz, former head of the Paramount theatre department, associated himself with the company.

The plight of Paramount is owed, in the opinion of this paper, chiefly to the policies of Sam Katz. Katz wanted to build a theatre empire, stretching from one end of the world to the other. Mr. Zukor, not expecting the 1929 financial disaster—no one expected it—did not put up a fight against such a policy, since times were prosperous then and it did not seem difficult to conduct profitably great numbers of theatres. Consequently, when the market crash occurred and everything crumbled, the Paramount company found itself in a difficult financial position. There were more than one hundred and fifty thousand shares of stock in the hands of exhibitors who sold their theatres to Paramount, which stock was guaranteed up to eighty when the market price was less than fifteen points. They could not meet this obligation from the profits of the theatres or of the pictures, because both were losing—every company was losing. It was at this juncture that Sam Katz, who always had his eyes on Mr. Zukor's mantle, induced John Hertz to step into the company, and Hertz became the leading factor in Paramount, a power which he exercised through Sam Katz up to the time Katz resigned, and directly afterwards.

But the leadership of Hertz, which was founded in the main on whatever advice Sam Katz could give him, did not improve the position of the company materially for the reason that Hertz, although an expert on taxicab economics, knew little about the picture business, and the ideas of Sam Katz, in the opinion of HARRISON'S REPORTS, were not much better.

Old subscribers remember that this paper criticized Mr. Zukor severely when it felt that the policies of his company

(Continued on last page)



**"Lucky Devils" with Bill Boyd***(RKO, Feb. 3; running time, 63 min.)*

Good entertainment for the masses. For one thing it shows how thrilling tricks in motion pictures are made; the stunts are so exciting, and at times so dangerous, that the interest is held throughout. One of the tricks shows a man on the roof of a burning structure, requiring the hero to swing over to him, to rescue him; just as the hero swings the other man falls into the burning building. The closing scenes will hold the audience breathless. It is where the hero and his pal drive at a terrific speed in order to reach the hero's wife who was going to have a baby. They drive along a winding road with steep inclines, finally toppling over and escaping just as the car dived down the hill. There is human interest in the love of the hero and the heroine, and much sympathy is felt for them throughout. The picture is made up mostly of the various stunts performed by the men, and their superstitions. One of their superstitions is that when a stunt flier marries he loses his nerve worrying about his wife.

In the development of the plot it is shown that this happens to the hero after his marriage, causing him to fall his pal who falls into a flaming building and suffers injuries. Feeling that he had turned yellow he leaves his profession and hunts for work. But this is not easy to obtain, and he is desperate since his wife is going to have a baby. He pleads with his former director to give him some sort of a position and he is engaged to do menial labor. While on location the director offers two hundred dollars to any man who would attempt to shoot the rapids; nobody is willing to try it, knowing the danger. The hero, realizing that two hundred dollars would give his wife the benefit of a good doctor, accepts the offer and is successful. With the money in his pocket, he and his pal make a mad dash for the hero's home in the pal's automobile. Traffic policemen give chase to them, and in their attempt to elude them they wreck the car. The hero sneaks on the policeman's motorcycle while his pal keeps the policeman engaged in conversation and finally arrives home to find that the baby had already been born and that his wife was well.

The plot was adapted from a story by Casey Robinson and Bob Rose. It was directed by Ralph Ince. In the cast are Dorothy Wilson, William Gargan, Robert Rose, Roscoe Ates, William Bakewell, Julie Hayden, and others.

Suitable for children and for Sunday showing. (Not a substitution.)

**"The Mummy" with Boris Karloff***(Universal, Dec. 22; time, 72 min.)*

This picture has been produced very artistically, but the reception the picture-goers will give it will depend entirely on whether they like horror pictures or not. It is true that it is not as horror producing as either "Dracula," or "Frankenstein," but it belongs to the horror species, just the same, only that the horror it creates in one's feelings is owed not to what is shown but to what is implied. The danger to the life of the heroine hangs over her head all the time. The story deals with reincarnation, the principal character being an old Egyptian, who came to life more than three thousand years after his death from a mummy he was, reposing in an Egyptian tomb. The sight of the mummy's coming to life, driving insane a young Englishman, an archeologist, is suspenseful. The tone of the picture is rather unhappy, but it holds the interest well. Although it is of the type that appeal to the intellectuals, it is drawing large crowds at the Mayfair, in this city, where it started its engagement last week:—

While on an expedition in Egypt for the British Museum an English archeologist and his assistant exhume the coffin containing a mummy who had been buried alive 3700 years previously; also a scroll which had been buried with him. The young assistant, curious about their discovery, translates part of the scroll and reads it aloud. As he does this the mummy comes to life and steals the scroll. The sight of this drives the assistant insane, later causing his death. Ten years later the hero, son of the former archeologist, is leading an expedition in Egypt for the British Museum. He receives a call from the "mummy," who had been posing as a native of Egypt, suggesting that he might find the coffin and the effects of a famous Egyptian princess if he would follow his suggestions and dig at a certain spot for it. The hero does this and sure enough discovers just what the mummy had predicted. It develops that the mummy had been a priest and had been in love

with the princess. When she died he attempted to bring her back to life with magic words and when he was caught doing this, he was buried alive with the scroll. Now he wanted to bring the princess back to life, for he still loved her. The heroine, a beautiful young girl, has the soul of the princess. The hero had met her and fallen in love with her. His father and her guardian, a doctor learned in occult science, realize she is under the mummy's spell and they try to break it. By his power the mummy brings her to the museum where the princess was kept and tells her he must kill her and then bring her back to life so that they may realize their love. She fights against it and just as the mummy is to kill her the hero and the doctor arrive and save her. The scroll is burned and the mummy falls into decayed pieces. The hero and the heroine are united.

The plot was adapted from a story by Nina Wilcox Putnam and Richard Schayer. It was directed by Karl Freund. In the cast are Zita Johann, David Manners, Edward Van Sloan, Arthur Byron, Bramwell Fletcher, Noble Johnson, and others.

It may terrify children; not unsuitable for Sunday showing if your patrons enjoy this type of pictures. (Not a substitution.)

**"The Billion Dollar Scandal" with Robert Armstrong, Constance Cummings and James Gleason***(Paramount, Jan. 6; running time, 76½ min.)*

A very good entertainment! The famous Teapot Dome oil scandal is the basis of the story, and it turns out a good melodrama with suspense and comedy. The suspense is brought about by the danger to the hero because of his determination to testify before the Senate committee against some powerful men who were involved in an oil scandal, and who threatened him with death. Sympathy and respect is felt for him for several reasons, the first one being his desire and efforts to make a man of his brother. Some of the situations are tensely dramatic: the one where the hero realizes he had been duped by the heroine's father; another where he testifies, causing one of the men to kill himself; and another when he finds out that his brother is to marry the heroine. Much of the comedy is aroused by the wise-cracks and pickpocket habits of his pal:—

The hero and his two pals are released from prison. The first person the hero goes to see is his young brother, for whom he had high hopes. After a party with his two pals and with some girls, they drive home. Their reckless driving causes an accident with another car in which the heroine and her father are driving. The hero instructs his friends to drive away but he goes to help the victims. He massages the heroine's father's neck, since during his prison term he had become an expert masseur, and the two establish a friendship. He accepts a position with the father at one hundred dollars a week, and this enables him to buy clothes for his brother. With the help of his employer he puts his brother in a brokerage firm. He listens to stock tips his employer gives to other men and plays them, winning much money. The heroine meets the brother and they fall in love. When her father finds out about this he plays a trick on the hero causing him to lose all his money. The hero is enraged and tells the father that he would not permit his brother to marry the heroine, since he had seen her in a drunken condition many times. But the heroine and the brother meet secretly. The hero and his lady friend open a massaging establishment but this does not net them much money. One day he is approached by a newspaper editor who wants to know if the hero had overheard any conversations in his former employer's home with other men. In spite of many threats against his life, the hero is determined to testify as to what he heard, since the deals his former employer had put through were crooked. The editor keeps him well supplied with money. His brother and the heroine marry much against the hero's desires. After testifying, his work finished, the editor tells the hero there will be no more money or publicity. Broke, the three pals wander on to try new fields.

The plot was adapted from a story by Gene Towne and Graham Baker. It was directed by Harry Joe Brown. In the cast are Irving Pichel, Olga Baclanova, Frank Morgan, Warren Hymer, Frank Albertson, Berton Churchill, Sidney Toler, and others.

Although it is a very good entertainment, it is hardly suitable for children or for Sunday showing.



**"Cavalcade"***(Fox; a Roadshow Picture; Time, 1 hour and 49 min.)*

The best talking picture yet made. The fact that it revolves around English characters and deals mainly with British history and with things that are dear to the British heart does not lessen its worth to American audiences in the least, for its appeal is universal. It is the martyrdom of a married couple, mainly of the mother, whose sufferings will be felt as deeply in America and in every part of the world as well as in Great Britain and the British Dominions, and will touch as much the hearts of people of other nationalities as it will of those of the British people. Every mother will understand the agony of her soul and will sympathize with her. The scene which shows her knocking the toys of her children, who were playing soldiers, expressing irritation with that they could not think of playing any other game but soldiers, an irritation which was caused by the fact that her thoughts were for her husband, fighting in the Boer war; the sight of her elder grown up son with his bride on the Titanic, giving the spectator the feeling that she will never see them again; the scenes that show the remaining son going to war; the situation which shows her swooning when she received a telegram announcing the death of her son at the front; the scenes that show her parading with the mob that celebrated the Armistice, asking herself what she had to celebrate for; the final scenes that show husband and wife alone in the world—these and others will touch one's heartstrings deeply. Early in the picture one gets a thrill at the sight of the departing troops for South Africa. Such an effect is gained by the martial music as well as by the sight of the soldiers swinging rhythmically and singing patriotic songs. In that part there is a scene of infinite pathos; it is that of the parting between hero and heroine, the hero, an officer of the British Army, going to war: the heroine turns her face around and bids her husband go so that she might not go through the heart-rending experience of actually seeing him go.

But all is not tragedy; there is comedy and humor.

Much of the comedy is brought about by the servants of the family, particularly the housemaid and her husband. These comedy scenes are at times side-splitting.

The historical events that affect the family are first the Boer War, when the heroine's husband and her brother going to Africa to fight. This brings much sorrow to the family; but the hero returns unharmed and great joy is felt by all. The housemaid's husband returns, too.

The next event is the sinking of the Titanic on which the heroine's son and his bride are returning to England from their honeymoon. They are both drowned.

Then comes the world War to which the heroine's younger son goes. On the day that Armistice is declared the mother receives notification from the War Department that her son had been killed.

The production is superb. The atmosphere is typically English and, therefore, different; but extremely entertaining.

The plot has been founded on the Noel Coward play, which has had great success in England. It was directed by Frank Lloyd with intelligence. In the cast are Diana Wynyard, who takes the part of the mother; Clive Brook, who takes the part of the father, Ursula Jeans, Herbert Mundin, Una O'Connor, Merle Tottenham, Beryl Mercer, Irene Brown, John Warburton, Frank Lawton and others. Douglas Scott and Dick Henderson, Jr., take the parts of the sons when they are children.

The success of the picture is due largely to intelligent casting. Diana Wynyard is superb in the mother's role. The "Britishness" of the play was toned down considerably. This, however, did not injure it in the least even when it is looked at from the point of view of an Englishman. The picture has remained decidedly British without slighting those of other nationalities who may see it. This is owed to the foresightedness of Winfield R. Sheehan, who is chiefly responsible for its successful production.

"Cavalcade" will make history in the picture business.

**"Frisco Jenny" with Ruth Chatterton***(First Nat'l., Jan. 14; running time, 69 min.)*

Unpleasant! There is little to recommend it as entertainment, for the story is sordid and the character of the heroine is demoralizing. From the very beginning she is shown as being an immoral person, having lived with a man without being married to him, later her profession being that of mistress to what are presumably prostitutes, and still later chief of a bootlegging outfit. The closing scenes provide some dramatic situations; they show the

hero unknowingly sending his own mother to her death. This situation is somewhat similar to that of "Madame X," in which Ruth Chatterton appeared, except that the son, instead of defending, prosecutes his mother. Sympathy is felt for the heroine during these closing scenes for she is shown as being willing to die rather than blight her son's career:—

The heroine's father is the owner of a saloon on the Barbary Coast. The night that the heroine confessed to her father that she had had a love union with the man who played piano in the saloon, and whom she loved and wanted to marry, there is an earthquake and both her father and her lover are killed. With her faithful Chinese servant she lives in the Chinese underworld where her baby is born. She joins up with the Salvation Army but when she finds that doing this does not give her child proper food (this part is terrible), she leaves them, determined to do better even if she had to steal. Her business turns out to be that of supplying girls to prominent men when they wanted to give parties. In her effort to help a man who was prominent politically she is mixed up in a murder case. This man becomes her lover and suggests that she give her child to a wealthy couple he knew in order to avoid having the Welfare Society take it from her. She does this and after three flourishing years in her business she calls to take her child away. The child refuses to go with her and she tells the couple that she will never bother them again and will not attempt to see the boy. She keeps a record of newspaper clippings that concern her son. Eventually he becomes district attorney, while she is the leader of a bootlegging outfit. Some of her friend's men are caught hijacking liquor and arrested. The friend pleads with her to go to her son to stop him from prosecuting the men. When she refuses he goes to him himself, to tell him whose son he is. She follows him and kills him just as he is about to divulge her identity. Her own son prosecutes her and she is sentenced to die. He seems to take pity on her and asks if he might help, but she refuses help, being willing to die rather than reveal her identity and spoil his career.

The plot was adapted from a story by Gerald Beaumont, Lillie Hayward, John Francis Larkin, and directed by William A. Wellman. In the cast are Donald Cook, James Murray, Louis Calhern, Hallam Cooley, Pat O'Malley, Robert Warwick, and others.

Not suitable for children or for Sunday showing. (Not a substitution.)

**"Hotel Variety" with Hal Skelly***(Screencraft; running time, 68 min.)*

A dull program picture; it is slow moving and repetitious. The action centers around a theatrical boarding house, and the producers have made an effort to extol the virtues of theatrical people who, despite continuous wrangling and heartaches, are supposed to have the courage to carry on, waiting for the time when they will become famous; but for some reason they do not arouse much sympathy since what they do and say is boring. The story jumps from one incident to another without any connection, and the photography and sound is poor at times:—

The hero, an actor, lives with his young son in a theatrical boarding house. He is without money and is waiting for the day when he will be signed up for a big show. The other boarders, theatrical folk also, are patiently waiting for the same thing to happen to them. The heroine, singer in a speakeasy next door to the boarding house, is a witness to a murder. She makes her escape, rushes into the boarding house and rents a room. She becomes acquainted with the hero and they fall in love. The hero's former wife from whom he was now divorced, calls to ask him to permit their son to live with her since she had again married, this time to a wealthy man who could give the boy an education. Realizing he is a failure, he sends the boy away with his mother. One of the tenants sells a story to a moving picture concern and all the people in the boarding house are given parts in it. Everybody is happy and the hero especially so when his boy returns telling him he did not want to live away from his father. The hero and the heroine are united.

The plot was adapted from a story by Arthur Hoerl. It was directed by Raymond Cannon. In the cast are Olive Borden, Judith Wood, Charlotte Walker, Sally Rand, and others.

Because of several jokes which are a little vulgar it is unsuitable for children or for Sunday showing.



were detrimental to the interests of the exhibitors, and will not hesitate to criticize him again, if his acts should warrant it. But it cannot help feeling glad that he has again resumed leadership of Paramount. Whatever his faults and limitations have been, this paper can at least say that he is an experienced showman, and that under his leadership Paramount will serve the interests of the exhibitors and of the industry in general far better than under that of either Hertz or Katz.

If there were ever a time when Mr. Zukor could show the stuff he is made of, it is now, for he is free of entanglements. Kent, Lasky, Schulberg and many other executives with whom he was surrounded before Sam Katz entered Paramount are out. Consequently he is free to carry out his own policies. He is not under an obligation to give an accounting to anybody except the bankers. And the bankers will ratify anything he does, as long as he produces results. And results can be obtained only by good pictures, which in turn depend on worthy story material. His resumption of the leadership means, in the opinion of HARRISON'S REPORTS, authority to discharge incompetents and to engage the most competent persons in the business. If so, and I believe it is, he should start cleaning house without waiting even a moment. Incompetents, whether in the production, story, or any other department, must go if he should expect to attain results. Let his knife be used wisely but unsparingly. Let him remember what he went through the last three years and act accordingly. In this, he may always depend on the moral support of HARRISON'S REPORTS. The exhibitors need good pictures and if the support of this paper can help him produce them, he can have it.

Good luck Mr. Zukor!

## SCREEN ADVERTISING—DOES IT PAY?

The editor of a small town paper has written me as follows:

"Our local theatre has started in with screen advertising and is soliciting some of the business men of the community for advertising patronage. We are writing to you for help and facts to present to them. We feel that such a policy will prove bad for them as it will cut down their attendance and will force us to eliminate publicity stories on their behalf, and to minimize the value of the theatre to our community.

"Last spring, when the theatre was built, the *Herald* fought tooth and nail for them; almost single-handed it prevented another competitor from opening up here ahead of them, and gave the theatre such a steady stream of publicity that several thousands of dollars of stock were sold locally. We are now leasing space from them at a high rental, on a five-year lease. Last spring, we persuaded the theatre to drop screen advertising, but last week they started in again.

"Rates which they are charging are low, so low that their profit on the screen advertising is very little and will not increase their gross materially. On the other hand, such competition will of course decrease our advertising and make us look like robbers. We feel, however, that movie fans do not want screen ads, and that you know specific cases and have available figures to show that such advertising does cut into the box office.

"Would you be kind enough to write us a letter, addressed to the owners of the theatre, outlining any specific facts which you may have at your finger tips, or in the event that you have none—give us as strong an opinion as you can? Please send the letter to us so that we may be able to present it to them personally. . . ."

Since this letter has been sent to me in confidence I am not mentioning the name of the editor, or of the town, but because it applies with the same force to other towns, I felt that it would do much good to the exhibitors if it were reprinted and comment made on it.

The position of this paper towards advertising on the screen is well known. I have always advised the exhibitors to keep out of screen advertising, for two reasons: because the public does not want to be bored with advertisements, especially when they have no way of avoiding them; and because it puts the theatre in direct competition with the local newspapers. And the worst thing an exhibitor can do is to make an enemy out of his local editor. An editor talks to the people of a town regularly; he moulds public opinion. The printed word sinks into the minds of the readers far deeper than the spoken word, even when both types come from the same person. Hostile printed words, then, are not profitable for him against whom they are directed. And you cannot expect friendly words from a person whom you are trying to injure—it isn't human.

If neither of these considerations could move you from keeping within the bounds of your field, avoiding entering into another field, the danger of competitive theatre should move you. You know that the film people, when they feel that you are not paying them enough money for their film, resort to all kinds of implied threats. Often they threaten to promote, and in some cases they do promote, another theatre in your town. With a friendly editor, the chances of promoting a competitive theatre in your town are smaller than they are when the editor is injured by your advertising activities. In many cases a friendly editor can stop the activities of the film men, and even of others. This is one reason why you should, not only refrain from injuring your local editor's interests, but also cultivate his friendship.

In case you derive considerable revenue from advertising, and giving it up will prove a great financial loss, I suggest that you come together with your editor promising to give up advertising entirely with the understanding that he is to give you enough publicity on meritorious pictures to offset, at least in part, your losses. I am sure that you can get together with him without any trouble, for in dealing with your local editor you are dealing, as a rule, with an intelligent person, and you will have no difficulty in making him see your side of the question.

Give up your advertising activities! There is enough ill will toward pictures because of the demoralizing nature of many of them; do not make matters worse by incurring the ill will of your local newspaper!

## ARE MGM PICTURES WORTH MORE THAN 25c FIRST RUN?

An advertisement of Loew's State, in Providence, Rhode Island, inserted in the December 30 issue of *The Evening Bulletin*, reads partly as follows:

"Loew's State Slashes Prices Starting Friday, January 6th! NIGHTS Saturdays, Sundays, and Holidays 25c—Any Seat. AFTERNOONS Monday to Friday (Saturday to 1 p.m.) Balcony 15c; Orchestra-Loges 25c. Children 10c Any Time."

The January 5 issue of the same paper contained the following advertisement from the same theatre:

"NOTICE: We're Sorry! The price cut advertised to go into effect at Loew's State Theatre Friday, January 6th, will have to be postponed until Friday, January 20th.

"The producer of 'Cynara' and 'The Kid From Spain' has refused to permit us to show these two pictures at our announced lower prices.

"He demands that we play these two pictures at our PRESENT PRICE SCALE. In justice, to him, we must explain that he had already made contracts with other theatres in this district, based on our PRESENT PRICES.

"THEREFORE:—We will show 'Cynara,' a truly great picture—starting TOMORROW and next FRIDAY, January 13th, we will show Eddie Cantor in 'The Kid From Spain,' BOTH AT OUR PRESENT PRICES.

"THEN:—ON FRIDAY, JANUARY 20th, we will present our own Metro-Goldwyn-Mayer production, 'The Son-Daughter,' as the first of our big hits at our sensationally reduced prices.

"WE ASK YOUR INDULGENCE. . . ."

If the Loew theatres cannot get for MGM pictures as much money as they can for the pictures of other producers, then it is an admission on their part that the MGM pictures are not worth more than 15c and 25c in first-run downtown theatres, and correspondingly less in second-run theatres and down the line. But since the MGM exchanges sold their pictures to you with an assurance that they are worth more, making you pay higher prices for them, it is necessary for you to demand that they adjust your prices, giving you a refund for those you have already played.

The ad in *The Evening Bulletin* is, in my opinion, the result of immature thinking, for it tells the picture-going public that, though the Loew Theatres are willing to reduce their admission prices, the other theatre owners are not willing to do it. A policy such as this cannot help compelling the other exhibitors to reduce their prices; and if they reduce them, can they pay MGM for film the prices they paid them formerly? Thus MGM will lose in one way what they might gain in another.

Reducing the prices in first run theatres is not the remedy; making better pictures is the thing that will bring people to the Loew theatres. MGM have not had such pictures this year with an exception now and then; and if the report that Irving Thalberg is out of Metro-Goldwyn-Mayer is true, then the chances of producing them will, in the opinion of this paper, be slimmer yet.



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, JANUARY 21, 1933

No. 3

### HOLLYWOOD "RAZZES" ITS HOME PRODUCT

A Californian has written me the following from Hollywood:

"I saw a 'short' in a theatre the other day in which Will Hays spoke about the wonderful cleanliness now prevailing in the movies, and the WHOLE audience booed him and gave him the 'royal razzberry.'"

"That in Hollywood!"

Some one ought to advise Mr. Hays to stop making speeches about the "progress made" in the moving picture industry and about the cleanliness of the late pictures, for the public is not so "dumb" as he and the picture producers think it is; the average intelligence of the picture-going public is far higher than the average intelligence of these Hollywood executives. The picture-goers have eyes to see and ears to hear with.

Does Hays call "Rasputin," "Frisco Jenny," "The Match King," "Cynara," "Animal Kingdom," "Call Her Savage," and many others of the late releases, clean pictures?

He may try to convince the public that the industry is now making snow-white pictures, but he does not make an impression on the newspaper editors, in whose writings the public pay far closer attention than it does to his speeches. I have just picked up an editorial at random; it appeared in the Monday, January 9, issue of *The Times-Union*, of Rochester, N. Y., under the heading, "The Screen's Responsibility"; it reads as follows:

"Last week a local theater presented a motion picture which reeked with unwholesome sex. The critic of *The Times-Union* in his review denounced it as exceedingly harmful.

"Many others who saw the production were vigorous in their protest. Those who took their young daughters and young sons to see it were sorry, and felt a sense of shame.

"What is the use of building churches and maintaining them, of building schools and supporting them, if we are to have a great educational factor undoing all this work by putting wrong ideals and wrong ideas before our youth?"

"This picture was objectionable in many respects. It took as its subject a group of extremists, abnormal in their modern views of life. The picture did not represent a cross-section of the American people.

"Why is it necessary to dish up to the public filth and rotten stuff when there is so much that is clean, wholesome and helpful? If the picture referred to was the only one of this sort, it would be bad enough, but it is characteristic of many others. These producers go the limit in suggestion and sex appeal in the hope of helping the box office. They seem to forget that some of the biggest paying productions on the stage and in the films have been of the wholesome type, rather than those full of the objectionable, dirty stuff that others depend upon.

"What can be done to put a check to such stuff? To call attention to the suggestiveness of a picture often advertises it and increases its harm. That is why the film referred to here is nameless. The censor's job seems to be to OK the undesirable and offensive. We might as well have no censorship as one that functions so little as the Censor Board in New York State appears to do.

"If the Catholic and Protestant churches would express themselves more vigorously against such productions, they could affect the attendance to such a degree that this dirtiness would be eliminated. It is a pity that the forces for decency are no better organized.

"A few more productions like this just shown here may serve to awaken the public to the dangers that threaten the youth of the land if this sort of thing is to be continued.

"In all fairness, it should be said that the local management of our theaters is not responsible for these productions. In many cases they have been outspoken against films

that have been forced upon them. They would be the first to rejoice over a change of policy by the producers.

"Surely some effective way should be found to impress on the leaders of the industry that they are all wrong in their ideas of life and wrong in what they think the people want in entertainment."

Notice what the editor says: "Why is it necessary to dish up to the public filth and rotten stuff when there is so much that is clean, wholesome and helpful?" Isn't this statement at variance with the statements of Mr. Hays?

Instead of lulling Hollywood in the belief that all is well with the picture material, he should tell them that they have driven most picture-goers away from the theatres with the "filth" and "rotten stuff" they have been presenting to the public for years. The mothers and the fathers have tired listening to the promises made by him and are keeping their children away from the theatres, keeping away from them themselves. He should try to convince the producers that, unless they learn what exactly the public wants, their own future is in danger.

### A 20c MINIMUM ADMISSION FOR NEXT SEASON?

Writes H. M. Richey, in his *Allied Bulletin*, of January 10, under the heading, "WHERE WILL IT END?":

"The other day a high official of one of the film companies visited Detroit with the interesting news that next year his company would demand a 20c minimum admission price on all their contracts. . . .

"In a market where the price of everything has gone down, some producers are advocating increases in admission prices. Their argument is based on an attempt to pin on to something the responsibility for the failure of first run theatres to pile up sufficient grosses to enable them to get out of the red. Low subsequent admission prices make just as good a scape goat as anything.

"This is not the first time they have tried to force business into first-run theatres. The exclusive idea was born of the conviction that if pictures could be shown in a certain community exclusively, every one in that community who wanted to see it would have to go to that theatre; the theatre would return to its former grosses and everything would be hotsy-totsy. BUT IT DIDN'T WORK! They found out that word-of-mouth advertising is important, that people will not come away from the theatres they are in the habit of patronizing to pay an unreasonably higher price to see an admittedly high-class picture. So, quietly, the exclusive idea is passing out and will give up the ghost—just another New York brainstorm. Another example that, no matter how highly polished the mahogany desk, many a better principle is laid down in a Podunk poster room, under the back stage.

"Next they tried unreasonable protection—keeping the picture out of circulation for a long time. But the two things, the Law and the result, have proved that if ever there was an overrated thing in the picture business—overrated by both, circuits and Independents, it is PROTECTION.

"Now they have a new idea: Pin a high minimum on the subsequent run houses but fix NO MINIMUM on the first-runs. Bring the first-runs down low enough to almost meet the minimum for the fellow who has to run it third, fourth and fifth-run, and 'we can force attendance to the first and second-run theatre.' That such a plan will fail is, of course, obvious; but the plan will be tried (look at the Fox Theatre, in Detroit, now)—everything in the film business is tried before the matter is carefully thought out.

"To try at this time to say to the public who cannot afford to spend more than 15c or 10c for its amusement: 'We don't want your money: Save it until you get 25c or 10c'—(Continued on last page)



### "The Past of Mary Holmes" with Eric Linden and Helen Mackellar

(RKO, Jan. 20; running time, 62 min.)

Ordinary entertainment. The plot is illogical, the background is drab, and the heroine is an unsympathetic character; in addition, it is unpleasant to see hatred between a mother and a son. The illogical part of the picture is the fact that the heroine, who is shown hating her son for being the cause of her having lost her singing voice when he was born, suddenly changes her attitude and tearfully displays her mother love. This does not ring true, especially when she picks up the baby shoes he once wore and presses them to her heart; it is difficult to feel sympathy for her even then. The squalid surroundings the heroine lives in, the filth around her, and her own unkempt condition, are what cause the drabness. There is some suspense because of the hero's becoming innocently involved in a murder due to his mother's testimony:—

The heroine lives in a squalid hut surrounded by pigs and chickens. She revels in the memories of her past glories when as a famous opera singer she had the world at her feet. But when her son was born she suddenly lost her voice and disappeared; people thought she was dead. She never stopped hating him. When he pleads with her to take care of herself and move with him to the city she refuses. He is in love with an actress and tells his mother he is going to marry the girl. She tortures him by saying he is an illegitimate child. But his sweetheart does not mind this; she in turn tells him she had had an affair with her stage manager. The hero forgives her. The stage doorman, who despised the manager, follows him to his estate one night and kills him. Since the estate was situated opposite the heroine's hut she gives them testimony about a car with one headlight. She tells lies just for the sake of receiving publicity, and unknowingly involves her own son, for he had called on her that night and it was his car that she saw leaving. The prosecutor, when he finds out who she is, takes her to a hotel, has her finely dressed, calls the newspaper men and permits them to interview her. She is thrilled by the publicity. Her son is arrested and at the trial she realizes for the first time that it was her own son she had involved. The hero is convicted and the heroine goes to him sobbingly pleading for forgiveness. He refuses and disconsolate she goes back to the farm. There she finds the doorman wading in a pool and suddenly emerging with a gun. She jumps on him and just then her son's sweetheart comes along. The girl takes the murderer to the city to sign a confession and the mother promises to join her there soon. She goes into her hut, burns all her belongings and former possessions, and leaves to join her son.

The plot was adapted from the story "The Goose Woman," by Rex Beach. It was directed by Harlan Thompson and Slavko Vorkapich. In the cast are Jean Arthur, Richard Gallagher, Ivan Simpson, Clay Clement, J. Carroll Naish, and others.

Not suitable for children or for Sunday showing.

On the contract 31118 is listed as "Society Page." But since no author or cast is given this picture cannot be called a substitution.

### "20,000 Years in Sing Sing" with Spencer Tracy and Bette Davis

(First Nat'l., Special; running time, 77 min.)

Good entertainment! It is a gripping prison melodrama, with suspense, human interest, and comedy. Spencer Tracy, as the hero, gives such an excellent performance, that he makes a believable and likeable character of a blustering, conceited racketeer. Much of the comedy is aroused by the manner in which the prison warden treats him so as to cure him of his arrogant manner. For instance, when the hero refuses to wear his prison uniform, the warden sends him out in cold weather to work in the courtyard in his underclothes. When he refuses to work on the rock pile, the warden forces him to sit in his cell for three months with nothing to do. This makes him nervous. The human interest is brought about by the humanity of the warden, and by his efforts to make men of the prisoners. The situation in which he tells the hero of the heroine's illness, permitting him to go to see her after promising on his honor to return, is quite pathetic. The closing scenes, in which the hero is shown about to be electrocuted for a murder he had not committed, are heart-rending. Some of the comedy is rather rough. And so is some of Tracy's talk:—

The hero, a well-known racketeer, is brought to Sing Sing prison. He thinks that he will have things his own

way, but soon finds out differently. The heroine, sweetheart of his, calls to see him and tells him she is trying her best to work with a lawyer to get him out of prison. The hero warns her to keep away from that particular lawyer. The warden has a great deal of faith in the hero, who had shown signs of real intelligence; in time the hero too feels great admiration for the warden. The warden receives a telegram that the heroine was dying as a result of an automobile accident. When he is told, the hero breaks down. The warden informs the hero that he will permit him to go to see the girl if he will promise to return that night. The hero promises and is permitted to leave by himself. He rushes to the heroine's bedside and she tells him that the accident had been caused by the lawyer, who had attempted to assault her. The lawyer calls while the hero is there and attempts to buy the girl off. A fight ensues. When the lawyer is getting the best of the hero the heroine, who had a gun under her pillow, shoots and kills the lawyer. The hero keeps in hiding and a scandal follows because the warden had released him. But the hero returns, stands trial and, unwilling to involve the heroine, is sentenced to the electric chair. No one will believe the heroine's story and the hero tells her not to mourn him since it was the one noble act in his life. She sobbingly parts from him.

The plot was adapted from the novel by Warden Lewis E. Lawes, but little of the original remains. It was directed by Michael Curtiz. In the cast are Lyle Talbot, Sheila Terry, Warren Hymer, Edw. McNamara, Spencer Charters, Louis Calhern, Arthur Byron, and others.

Not suitable for children or for Sunday showing. (Not a substitution.)

### "Island of Lost Souls" with Richard Arlen and Charles Laughton

(Paramount, rel. in December; running time, 69 min.)

This is a gruesome melodrama; it will probably please the more hardened and morbid followers of horror pictures. What it presents is more ugly and revolting than horrifying. The idea of changing wild animals into human beings is not pleasant, particularly in the vivisection scenes, where the growls and howls of the animals, who are being tortured while transformed, can be heard. The background is ugly; for one thing, several of the characters refer to the stench of the island; and then the ugliness of the remade animals is nauseating. However, there is suspense throughout, especially in the closing scenes, where the "men," reverting to their true natures, desire to kill for the taste of blood. In these scenes the hero and the heroine are in danger of being attacked. Some comedy relief is brought about by the dumbness of one of the characters:—

The hero, only survivor of a ship which had sunk, is picked up by a steamer with a cargo of wild animals to be transported to a certain island. One of the passengers, a doctor, is bound for the same island. The hero incurs the enmity of the captain and when the ship lands at the island the captain forces him to leave the boat. The man who lives at the island, a scientist, resents the hero's presence, and promises to send him on his way the following morning in his boat. The hero had wired the heroine, his sweetheart, that he would arrive at a certain time and when the ship reaches port without him she is suspicious and goes to the American consul, who forces the captain to tell him where he left the hero. The scientist, in the meantime, had decided to use the hero for an experiment. He sinks his boat so that the hero cannot leave. The hero is horrified when he learns that the scientist's work is that of turning wild animals into human beings. The only girl on the island is the scientist's best work and his idea is to see if she will show human traits—that of falling in love with the hero. The heroine charts a boat and with the help of a kind captain reaches the island. She and the hero are joyfully reunited, but the scientist decides to use as an experiment also her, with one of his "men." The law of the island is not to kill but when the scientist orders one of the creatures to kill the captain, the taste of blood makes them revert back to their true natures. They capture the doctor and while they are torturing him the hero, together with the heroine and the doctor, make their escape and rush to the boat.

The plot was adapted from the novel by H. G. Wells. It was directed by Erle Kenton. In the cast are Bela Lugosi, Leila Hyams, Kathleen Burke, Arthur Hohl, Stanley Fields, Paul Hurst, and others.

Not suitable for children or for Sunday showing.



### "Second Hand Wife" with Sally Eilers and Ralph Bellamy

(Fox, Jan. 8; running time, 64 min.)

A pleasant program picture. It is rather slow moving, but in spite of this fact it should please feminine audiences because of the domestic problem presented. Women will sympathize with the heroine, who suffers because of the cruelty of the hero's first wife; also when she mourns the death of her baby. In addition, they will enjoy the talented child, who is loveable and a good violinist. Both the hero and the heroine are sympathetic characters; one does not resent their affair since they love each other sincerely and the hero's wife is presented as being unfaithful:—

The hero is unhappy because of his wife's cold and unsympathetic nature. His one joy is his young daughter, who is a fine, talented child. Through his wife's suggestion he invites the heroine, stenographer of his, out to luncheon. There develops between them a friendship which soon turns into love. His wife, anxious to follow her daughter's music teacher to Europe, since she was infatuated with him, procures a divorce. The hero and the heroine marry; the heroine gives birth to a baby who dies. The hero is lonesome for his daughter and, because of jealousy, the heroine quarrels with him; but this is soon patched up. She finds out that the wife had procured her divorce quickly by using wrong dates, and when the wife attempts to leave the country with the child the heroine confronts her with this fact and tells her that if she leaves she will prosecute her. Since the divorce was not legal the hero and the heroine are forced to separate for a time. The wife obtains a valid divorce and the child is turned over to the hero. A happy reconciliation follows between the hero and the heroine, both of whom love the young girl.

The plot was adapted from a story by Kathleen Norris. It was directed by Hamilton MacFadden. In the cast are Helen Vinson, Victor Jory, Karol Kay, Dorothy Christy, Esther Howard, Ara Haswell, and others.

Not suitable for children or for Sunday showing.

Substitution Facts: No. 12 is listed on the contract as "Okay," featuring James Dunn and Sally Eilers. James Dunn does not appear in "Second Hand Wife," therefore, it is a star substitution.

### "The Vampire Bat" with Lionel Atwill and Fay Wray

(Majestic Pictures; running time, 62½ min.)

To the followers of horror melodrama this should prove good entertainment; it has been given a fine production—it is eerie enough, and the suspense is sustained well throughout. But there are a few situations that are objectionable, particularly the one in which the villain drains the blood from the body of a woman he had just killed; one sees the blood trickling into a chemist's vial. Only sadists can see such a sight without flinching. For the first half the interest is held because the identity of the murderer is unknown; during the second half, when it is evident who he is and what his motives for the murders are, one is held breathless for fear lest the hero and the heroine be the next victims. The closing scenes are exciting. Some comedy is provided by the heroine's aunt, who always imagines she is suffering from some ailment. One of the comedy situations is in rather bad taste:—

The people in the village are very much frightened because of a series of murders. Since they are superstitious they attribute the murders to a vampire bat for all the bodies bear the same marks, and from each body all the blood had been drained. The hero, police inspector, is puzzled. He is in love with the heroine, secretary to a doctor (villain), and when he calls to see her at the doctor's home he discusses the case with the doctor, who shows an inclination to agree with the villagers. The case becomes so puzzling that the hero, too, is almost led to believe this theory; only his common sense tells him that it is not so. The people, thinking that the town's demented man is the bat in disguise, kill him; but this does not stop the murders. Eventually it is shown that the doctor had his assistant under his spell, had been forcing him to kill the people and to bring the bodies to his laboratory; he then drained the blood from them, which he needed in his experiments. The heroine makes the discovery and the doctor holds her a prisoner in his laboratory. He had sent his assistant to kill the hero and bring him his body. But the alert hero, who had suspected the doctor by this time, overpowers the

assistant and brings him back to the doctor's house. The doctor attempts to fight his way out but the assistant kills him and then himself. The hero and the heroine are united.

The plot was adapted from a story by Edward T. Lowe. It was directed by Frank Strayer. In the cast are Melvyn Douglas, Maude Eburne, George E. Stone, Dwight Frye, Robert Frazer, and others.

It is too strong for children; you will have to use your own judgment about showing it on Sundays. (The running time given by the home office is 66½ minutes.)

### "Sailor Be Good" with Jack Oakie and Vivienne Osborne

(RKO, Feb. 10; running time, 68 min.)

Terrible! This picture just reeks with sex and liquor, and the talk is filthy. During one situation, where the heroine is shown requesting the hero to go home, he says to her: "Aren't you going to let me stay here for the night?" This is just one sample of the dialogue; most of the talk has double meanings. The characters are unsympathetic, common, and vulgar. They all drink enough liquor to sink a battleship. There is something cheap about the atmosphere; even the comedy situations are offensive. In addition to all this, the story is trite; it presents no new angle, and has been done to death. The hero is stupid and common; the heroine is a woman of loose morals. A little sympathy is felt for her in the closing scenes, where she reforms:—

The hero, a sailor, shows good possibilities of becoming a prizefighter. Another sailor, his manager, takes care of him and tries to keep him away from liquor and women. When the fleet comes into town the heroine, a hostess in a cabaret, is down at the docks ready to pick up a sailor. When the hero sees her he forgets all his manager's warnings and approaches her; they become friendly. He disappears for two weeks during which time he is constantly in the heroine's company, both drunk. When his manager finds them and tells the heroine she is ruining his chances of becoming the champion fighter she is remorseful and decides to help the hero change. Under her influence he sobers up and wins his first fight. After the fight he expects the heroine to celebrate but when she refuses, telling him he must keep fit for the championship bout, he resents it and leaves her. He goes to a speakeasy and there meets a society girl. She takes him under her wing and they go off on a drinking party. He wakes up the next morning to find himself married to her. He soon bores her and he, too, is unhappy. The heroine in the meantime had changed her way of living, and had bought a lunch room. The hero calls to see her and she refuses to listen to his pleas to become friendly again. He goes into training for the championship bout, but is soft. He is being beaten when his manager tells him that his opponent had beaten the heroine because she had refused to become friendly with him. This angers the hero to such an extent that, in the next round, he knocks out his opponent. He is champion; and since his wife had gone to Reno to divorce him he and the heroine are reconciled.

The plot was adapted from a story by Viola Brothers and Ethel Doherty. It was directed by James Cruze. In the cast are George E. Stone, Lincoln Stedman, Max Hoffman, Jr., Gertrude Michael, and others. (It is the first Joe Snitzer picture.)

Not suitable for children or for Sunday showing.

### "Women Won't Tell"

(Chesterfield Prod.; running time, 66 min.)

A moderately entertaining program picture. The background is rather drab, for much of the action takes place at dumping grounds where the heroine lives with her child. The story at times is not very plausible; as for instance the fact that the heroine goes to prison rather than make an effort to prove that she was married to the man whose fortune she had been accused of wrongfully claiming. There is some human interest in the love that the heroine has for her child; also some suspense for, from the very beginning, one is led to believe that the heroine had been harboring some secret which would eventually be disclosed.

The plot was adapted from a story by Lela Rogers. It was directed by Richard Thorpe. In the cast are Sarah Padden, Otis Harlan, Walter Long, June Bennett, Edmund Breese, Mae Busch, Gloria Shea, and others.

Not suitable for children or for Sunday showing.



50c then come! is contrary to the experience the business has had: Going to the movies is a habit. The oftener they come, they oftener they want to come. If they come only once in a while they soon won't come at all. . . ."

I would want nothing better than to be an exhibitor and to have a company refuse to sell me its pictures unless I agreed to charge a minimum admission price of 20c when my policy was to charge less. Naturally I would not get that company's pictures, but I assure you that there would not be a single man, woman or child in that territory but would know why I did not get those pictures. You may imagine what would happen—just what has happened to the exclusive idea in Rochester, N. Y., and in many other places; the public "booed" the trailer announcing "This picture will not be shown in any other theatre in this city!" The public is not in the mood just now to be trifled with. No person is in the mood to be trifled with when he does not know where the next meal is coming from and yet he is held up when he wants to go to some picture theatre to forget his troubles.

Do the producers remember the anti-sugar feeling of the American people several years ago?

Mr. Richey, in referring to the "exclusive" idea conceived by a picture executive sitting behind a mahogany desk in New York, is right when he says that better ideas have been hatched in a poster room away from New York than behind mahogany desks—a mahogany desk does not necessarily improve a person's ideas. Any poster-room boy could have told the "exclusive" proponents that the "exclusives" idea, being contrary to the interests of the picture-going public, could not be successful. We warned them of this, but they did not heed that warning—they had to try it to find out for themselves. Well, they did!

### PROSPECTS FOR PASSING BILL S. 3770 BRIGHT

We have been battling for the Brookhart bill for several years without success. This fact was used against us by the president of M. P. T. O. A., in the statement he issued through the Hays organization, in which he attacked, as you remember, I am sure, the Allied leaders. But I have never been as optimistic about seeing this bill become a law, as I am now, for the aid we are receiving from civic, fraternal, and other organizations is plentiful and sincere.

One of the organizations to give us aid lately is the Minnesota Congress of Parents and Teachers. In its official publication, the *Minnesota Parent Teacher*, there is a strong appeal to all affiliate bodies for support of Bill S. 3770. It contains a coupon, with the resolution of this body, urging the reader to clip it, fill it in, sign it, and mail it to his Minnesota Senators and members of the House of Representatives.

The resolution that was passed by this body reads as follows:

"Whereas, the practices of block and blind booking are forcing the showing of undesirable films in motion picture theatres,

"Be it resolved, that we urge and shall appreciate your support of the bill to prohibit block and blind booking, known as Bill Number 1079 on the Senate Calendar.

If you have not yet got busy in your town, this is the time for you to do it. The fact that Mr. Hays issues frequent statements in the newspapers and also gets on the air trying to spread propaganda about "clean pictures" is the best proof that we have a chance.

The safety of your investment depends on whether this bill becomes a law or not.

### ERRORS IN THE RUNNING TIME OF FEATURES

One of the points in which this paper pays a great deal of attention is the running time of features. In the old days, there were frequent errors as a result of the fact that it was difficult to see the dials of the watch in the dark. It was also possible to mistake the time by as much as five minutes. But in the last three years I have been using a stop watch; therefore, I felt that errors in the running time should not occur, unless they occur by my failing to notice the error while reading the proof.

A subscriber, however, has called my attention to three errors in the last few weeks. One of them concerns the First National picture, "They Call It Sin," which I have given as 80 minutes whereas this exhibitor told me it was only 70 minutes; also "The Scarlet Dawn," in which there is a difference of 4 minutes.

Since this paper sells nothing else than information, accuracy is naturally an asset, not only in the running time but in everything; therefore, I am sure you realize how eager I am to be accurate in every piece of information I impart to you.

From now on, I am going to double-check the running time of the features: when I review a picture in the projection room I shall check my stop-watch time with the time of the projectionists; when I review it in a theatre, with the time of the theatre. Then I shall call the home office of the company, obtain their running time, and print at the bottom of the review the running time as given to me by the home office. Any discrepancies discovered afterwards as a result of eliminations will be noted in the Index. In this manner, errors will be avoided.

The running time of the shorts is obtained directly from the books of the home offices; therefore, I feel that it is as accurate as is humanly possible to obtain it.

In the table that follows you will find a list of pictures in which a difference of more than two minutes has been discovered between the running time given in the review and the time obtained from the different home offices. The difference in the time of "Kid from Spain" is due, no doubt, to the fact that eliminations have been made after the picture started its engagement at the Palace, which ended last week. Other differences may be due to such eliminations.

At this time I desire to call the attention of those of you who are in states where censorship exists that the difference in the running time in some pictures is often caused by the fact that the picture is censored after it is released nationally. You will do well, therefore, to obtain the correct time from the exchanges.

This list covers a check-up of two months—of all pictures reviewed beginning with the first issue in November:

#### Columbia

	<i>Our Time</i>	<i>Their Time</i>
Bitter Tea of General Yen.....	85m	89m

#### First National

They Call It Sin .....	80m	70m
Frisco Jenny .....	69m	73m

*Note: The Roxy Theatre, which showed this picture last week, gave us as a running time of "Frisco Jenny," 71 minutes.*

#### Fox

No difference to speak of has been discovered.

#### Metro-Goldwyn-Mayer

No difference of importance has been found.

#### Paramount

The running time of this company's pictures as given in HARRISON'S REPORTS agrees well with the running time obtained from the Home Office.

#### RKO

The running time given in HARRISON'S REPORTS has been found extremely accurate with the pictures of this company.

#### United Artists

Kid from Spain .....	99m	93m
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#### Universal

Air Mail .....	82m	86½m
The Old Dark House .....	72m	74½m
Afraid to Talk .....	73m	76½m
Laughter in Hell .....	67m	72m
The Mummy .....	72m	75m

*Note: The Mayfair Theatre, where "The Mummy" is playing, has given us 73m. as the running time. The extra minute from our time is no doubt due to the cast trailer, shown at the end.*

#### Warner Bros.

Scarlet Dawn .....	62m	58m
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#### World Wide

Trailing the Killer .....	64m	68m
Uptown New York .....	76m	80m
Hypnotized .....	67m	70m
Breach of Promise .....	63½m	67m

I desire to call your attention to the fact that the state right dealers do considerable exaggerating in the running time of their pictures; they give anywhere from four to several minutes more than the exact running time. So in reporting their time I do not guarantee its accuracy.



# HARRISON'S REPORTS

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Vol. XV

SATURDAY, JANUARY 28, 1933

No. 4

## PICTURES SLANDERING NEWSPAPER PEOPLE

In the issue of *Editor & Publisher* The Fourth Estate for January 21, Mr. Marlen Pew has the following in his column:

"News comes from Hollywood that the Warner Bros. are to bring out a picture called 'Picture Snatcher,' Jimmy Cagney to take the lead. The author is Danny Ahearn, advertised as a former New York newspaperman. 'He was a picture snatcher when he wrote the story and you may be sure that the many exciting incidents in the story are plenty authentic,' confides the press agent.

"The Warners have produced more pictures insulting the newspapers of this country than any other concern. Their directors enjoy putting a gangster type into the role of reporter or editor. We have little doubt that 'Picture Snatcher' will be staged to give an impression to the general public that the newspaper business is operated largely by people tainted with Danny Ahearn's low concept of journalism. The average inexperienced auditor of the talkie show in some Kansas, New Hampshire or Texas community will identify this picture thief as a local menace, though the truth will be that no local reporter probably ever stole a picture in his life and despises a New York or Chicago snatcher even more than would the average citizen. Picture thievery has existed for 30 years in some of the larger cities. The despicable practice ought to be exposed. But the loose generalization that Warner's directors permit in pictures of this sort is calculated to damn the whole newspaper business, the innocent being herded with the guilty. It is amusing to note that in announcing the Picture Snatcher show, the press agent also says: 'Cagney is getting more publicity in the newspapers and fan magazines than any other star on the screen.' He would!"

*Editor & Publisher* circulates among newspaper people; therefore, what Mr. Pew has written will be read by them all. This cannot have a beneficial effect upon the business of those who will show this picture, for the publicity they will get from this picture will not be great and the reviews will not be lenient if the quality of the picture should be poor.

This paper has warned the producers against putting in picture stories that slander the newspaper profession. The industry needs their good will as much as it needs good pictures. And pictures that present the newspaper people as villains cannot win their good will.

## WHY THE NEW ORGANIZATION IN DETROIT?

According to the trade papers, W. S. Butterfield, the circuit exhibitor of Detroit, Michigan, is going to set up a new exhibitor organization, "as a re-

sult of urging by about fifty independent theatre owners," as he has put it. His statement reads as follows:

"The organization is to be operated by exhibitors only, who own theatres, or lease theatres, and are actually operators of these theatres personally. It will be an organization made for the benefit of exhibitors only, and not for its officials. It will work in harmony with M. P. T. O. A. units and it will also try to work in harmony with the Allied Association of the State, as they have already been approached to work in unison. This new organization's aim will be to try to iron out the difficulties of the independent exhibitors with the producers. Its motto will be, 'One For All and All For One.' Its officers will be made up of the principal exhibitors of the State of Michigan, and books will be open for inspection, and its by-laws will be simple. The exhibitors of the state are being canvassed now for membership."

The way I interpret this statement is that the organization that now exists in Michigan is operated by non-exhibitors; therefore it is not conducted in accordance with the best interests of its members. This insinuation is a "dig" at Richey, Secretary of Allied States, and is a slight not only to him, but also on the exhibitor members who have supported him and have elected him year after year to conduct the organization's affairs.

Mr. Butterfield says that the new organization will be operated by "exhibitors only, who own theatres, or lease theatres, and are actually operators of these theatres personally." This naturally will exclude Butterfield; since he has about fifty theatres and cannot conduct them "personally," he should not be eligible to membership.

He says that the new organization will work in harmony with M. P. T. O. A., and since M. P. T. O. A. is supported with producer money Mr. Butterfield shows brass when he tells us that he is founding a new exhibitor organization to be "operated by exhibitors only."

Another insinuation he makes is that the books of the organization "will be open for inspection," meaning that the books of Michigan Allied States are not "open for inspection." This is an insult to the exhibitors of Michigan, members of Allied States. Why does Mr. Butterfield not say what he has in his mind instead of insinuating?

The facts, as I understand them, are as follows: Mr. Butterfield, being a partner of Publix, is an affiliated exhibitor; and according to the policy of all affiliated exhibitors he is bent upon retaining the privileges such exhibitors are now enjoying. One of these privileges, and the most important one, is "Protection," for by it they are able, not

(Continued on last page)



### "Air Hostess" with Evalyn Knapp and Thelma Todd

(Columbia, Jan. 15; running time, 66½ min.)

A moderately entertaining program picture. It moves slowly, offering its only bit of excitement in the closing scenes, where the hero, in an aeroplane, tries to signal the engineer of a passenger train to stop so as to prevent him from riding towards a bridge, washed-away by the flood; the stunt-flying in these scenes brings about the excitement. The characters are not outstanding either in their action or talk, and the only one who arouses sympathy is the heroine. The hero is a weakling, drinks too much, and behaves like a fool:—

The heroine, an air hostess, is carefully guarded by her adopted parents, and by the men working for the aeroplane company. Whenever she makes an appointment with a young man they threaten the man with bodily harm if he should go out with her. No amount of pleading on her part will alter their decision to watch over her. The hero, a dare-devil aviator who had known her father during the war, takes her across the border. After a gay evening he feels conscience-stricken and decides to bring her back to her foster parents. On their arrival they are met by a menacing group of men, but the hero tells them he is going to marry her. After their marriage he works on plans to build a special aeroplane for a non-stop flight across the Pacific. For this he needs capital, and joyfully accepts the invitation of a wealthy designing woman to call and see her about his plans. She is very attractive and lures him into making love to her. The heroine receives an important message for her husband, and when the woman refuses to allow her to speak to the hero over the telephone, she rushes there by automobile. She finds the hero in a compromising position and tells him she does not want to see him again. He tells her he feels the same way but regrets this and rushes after her. He goes to the airport and finds out that she is on a train bound for California, and that this train was nearing a washed away bridge. He rushes by plane to warn the engineer and not being able to make the engineer understand his signals, he crashes directly in its path, forcing him to stop the train. There follows a joyful reconciliation between the hero and the heroine.

The plot was adapted from a story by Keene Thompson and Milton Raison. It was directed by Al Rogell. In the cast are James Murray, Arthur Pierson, Jane Darwell, J. M. Kerrigan, Mike Donlin and Dutch Hendrian.

Because of bold sex situations, it is not suitable for children or for Sunday showing. (Not a substitution.)

### "Employee's Entrance" with Warren William and Loretta Young

(First Nat'l., Feb. 11; running time, 75 min.)

Unpleasant! The leading characters are unsympathetic, particularly the hero, or rather the villain, who is presented as ruthless, cold, and over-bearing, a man who would not stop at ruining anyone if he stood in his path. He gives one unpleasant feelings. The heroine is not a sympathetic character either, for she is shown surrendering to him the first night she meets him. After she marries the hero it is implied that she again surrenders to the villain, trying to excuse this by the fact that she was under the influence of liquor. All this leaves one with a bad taste. The background is fairly interesting; it is a department store with its inner workings. There is comedy, some of it suggestive. One amusing situation is where a woman who had been wrongfully accused of stealing a purse is asked by the villain to choose anything in the store to make up for the insult; she chooses a grand piano. The hero is the only sympathetic character. Much pity is felt for him in the situation where he finds out about his wife and the villain:—

The heroine meets the villain in the department store he manages. He takes her to dinner and then to his apartment. Not wishing to offend him since she needed a position, she surrenders to him. At the store she meets the hero and they fall in love with each other. The villain takes a great interest in the hero and appoints him his assistant, with the warning that he was not to marry. But the hero and the heroine marry secretly. At a party given by the store the hero and the heroine quarrel because he had been detained by the villain. She starts drinking in the company of the villain and becomes slightly dizzy. He suggests she go to his hotel room to rest and he follows her there. The next morning she goes to him and pleads with him to leave her alone; she tells him she is married to the hero. Disgusted at the news, he has the hero listen in to another conversa-

tion with her which brings out the fact that she had been with the villain. She takes poison and is rushed to the first aid room. The hero tells the villain he would like to kill him, and resigns his position. He goes to the heroine and tells her they will leave the store, that he still loves her. The villain is just about ready to leave his position because he lacked the necessary votes to keep him in power. He arranges to go to Paris with one of the shop models but changes his plans when he receives permission to use votes of an absent stockholder. Again he is in control and he continues ruling with an iron hand.

The plot was adapted from a story by David Boehm. It was directed by Roy Del Ruth. In the cast are Wallace Ford, Alice White, Hale Hamilton, Ruth Donnelly, Allen Jenkins, Albert Gran, and others.

Not suitable for children or for Sunday showing. (Not a substitution.)

### "The King's Vacation" with George Arliss

(Warner Bros., Feb. 25; running time, 60 min.)

Pleasant entertainment. There is nothing exciting, novel, or suspenseful about the story, but it has been given such an excellent production, and the performances are so good, that the interest is held, despite its obvious ending. One drawback is that the romance of the story is built around Arliss, who is not a romantic figure, and two middle-aged ladies. Comedy is aroused throughout, most of which is brought about by Arliss' desire to be rid of pomp and to live simply, a desire he is prevented from fulfilling:—

Arliss, king of a mythical country, despises the pomp and court procedure, liking a simple life. Conditions in his country are so bad that he abdicates so as to enable his people to form a republic. With the queen, he quits the country. The queen tells him she will give him his freedom, since she knows he still loves his wife, a commoner, from whom he had been forced to separate when he became king. He looks forward to being with his wife and child, to lead the simple life they had once lived. But when he comes home he finds his first wife established in a palace and he is treated by all with the same court pomp he hated. On a visit to another town to buy his wife a gift, he encounters the queen. He goes to her home for tea and there finds the peace and comfort he was longing for. He parts from the queen with regrets since he realizes that he had never appreciated her qualities. He is offered his throne again which he refuses, much to his former wife's disgust. His daughter is in love with a poor inventor and despite her mother's protests she takes her father's advice and arranges to marry the boy. Three weeks before he is to remarry his first wife, he talks with her only to learn that she loved some one else. He tells her he will not stand in her way, and they part. He goes back to the queen, to lead the life he loved best.

The plot was adapted from a story by Ernest Pascal. It was directed by John Adolfs. In the cast are Florence Arliss, Marjorie Gatenon, Dudley Digges, Dick Powell, Patricia Ellis, O. P. Heggie, and others.

Suitable for children and for Sunday showing.

### "Rome Express"

(Universal, Rel. date not set; time, 87½ min.)

Good entertainment; it is a Gaumont-British picture, and the cast is all foreign. It is exciting and suspenseful, holding the interest well. Done in the "Grand Hotel" style, with all the action taking place on a train bound for Rome, many characters are introduced, all being brought together by tragedy. Some of the characters arouse sympathy, particularly a poor underpaid secretary of an egotistical millionaire. The situation in which the secretary discovers the fact that his employer is wrongfully holding a valuable painting is tense, as is the preceding situation in which he traps a murderer. Comedy is brought about by a talkative Englishman who imagines that everything he says is witty. Excitement prevails throughout, particularly in the closing scenes where a young man and woman are innocently involved in a murder:—

On a train bound for Rome are several people whose paths cross. One is a famous motion picture actress, another is the chief of French police, two others are a man and a woman running away together from their respective wife and husband, a boresome Englishman, a crook and his partner, an obnoxious millionaire, and a man with a painting that had been stolen from the Louvre. The crook and his partner are after this man, since he had double-crossed

(Continued on next page)



them; they were all supposed to share in the proceeds of the sale of the picture. The picture falls into the hands of the millionaire when there is a mixup of brief cases. The crook kills the man who had double-crossed him, and leaves the body in the compartment of the run-away husband, who had been knocked unconscious. The woman who had arranged to come to the man's compartment arrives there just as he regains consciousness. They are horrified when they see the body and both are held for the murder. But this is all cleared up when the crook admits his guilt by jumping off the train to his death. The secretary finds his employer in possession of the painting and threatens to expose him unless he gives him an increased salary and an appointment in one of his companies. But the employer snatches the painting away and gives it back to the police inspector. Thus he is cleared and the poor secretary again becomes a servant. The run-away husband and wife, deciding they had made a mistake, plan to return to their respective mates.

The plot was adapted from a story by Clifford Grey. It was directed by Walter Forde. In the cast are Esther Ralston, Hugh Williams, Conrad Veidt, Donald Calthrop, Joan Barry, Harold Huth, Gordon Harker, and others.

Not suitable for children or for Sunday showing.

### "The Big Drive"

(First Division, Rel. date not set; time, 89 min.)

This is a collection of newsreel scenes of the world war, interesting because of their authenticity. The photography is poor. The reason that some of the scenes are abruptly brought to a finish, as explained by the lecturer who comments on the different situations throughout, is the fact that the cameraman was killed by a shell or bullet at that point.

Each fighting country is represented, starting with the Germans. It shows the well-trained army ready to fight, the Kaiser and the Prince reviewing the troops; there is a great contrast in the later scenes where the soldiers look lean and worn out.

The next country shown is Belgium; one pitiful touch is that of an old woman sitting at the ruins of her home, weeping on a soldier's cap that she holds in her hands.

The horror of war is shown without any romantic side to it; life behind the trenches, the agony of wounded men who are brought in from the battlefield to improvised hospitals in the trenches, some of them coming out of the hospitals minus their limbs.

Horrible scenes of battlefields with dead strewn all over the place will send shudders through the spectator. A Chaplain goes from one dead body to another saying a prayer over each. Dismembered limbs are found all around the battlefield; the soldiers are surrounded by death, filth and destruction.

Actual hand-to-hand combats have been photographed in which men are shown running bayonets through an enemy soldier.

This picture cannot be classed under entertainment; it is too horrible for that. It is more suitable for men, particularly for former soldiers who will be interested in reliving their experiences. But it is drawing big crowds in large cities, mostly men.

### "Tonight Is Ours" with Claudette Colbert and Fredric March

(Paramount, Jan. 13; running time, 74½ min.)

Lavishly produced, but it is slow. It is a romance of a Balkan princess with a commoner, whom she had met in Paris while trying to get away from thrones and restrictions of liberty. The direction is skilled, the acting artistic, and the settings beautiful. But the action unfolds leisurely. There are some situations where a fairly strong appeal is directed to the emotions; it is where the Queen realizes the hopelessness of her love for the hero. There is a sex twist, the hero and the heroine shown as having spent a night together, after the heroine had assumed the reigns of the kingdom and was about to marry a prince. It is pretty bold:—

The heroine, princess of a Balkan kingdom, desiring to be a free human being, leaves her country and her titles and goes to Paris. At a masked ball she dances with the hero in the costume of a Pierrot and the two strike up an acquaintance. Within a short time their acquaintance turns into a passionate love. On the day they were to marry, the heroine's uncle comes from the kingdom and, informing her that the king is dead, invites her to return to the kingdom

to become its queen. At first she refuses to give up the man she loves for a crown but she is persuaded to do so. She leaves a note for the hero explaining things. As a queen the heroine is unhappy. A marriage is arranged with a prince of a neighboring state. The hero goes to the kingdom to see the heroine for the last time. While the queen and the prince are driving through the streets a revolutionist attempts to throw a bomb at them but the hero stays him. The queen is informed of the incident and asks to see the man who had rescued her from death. She almost faints when she is confronted with the hero. At first she bravely tries to fight off her sentiments but she soon succumbs. They decide to spend that night together and then to be separated forever. A revolution breaks out that night. One of the revolutionists enters the palace intending to slay the Queen but the hero stops him. The shot makes his presence known and he is arrested. At that moment the revolutionists call on the queen to demand reforms. The heroine's uncle orders the execution of the hero but the heroine pleads with him to spare him, for he is the man she loves. She tells the revolutionists to take the kingdom if they will only release the hero so that she may marry him. When the revolutionists see that the Queen wants to marry a commoner they advise her to proceed, as that would make her popular. The two marry and peace reigns once more.

The plot has been taken from Noel Coward's play "The Queen Was In The Parlor." It was directed by Stuart Walker. In the supporting cast are Alison Skipworth, Paul Cavanaugh, Arthur Byron and others.

Not for children or for Sunday showing. It should appeal chiefly to women.

### "Hot Pepper" with Lupe Velez, Edmund Lowe and Victor McLaglen

(Fox, Jan. 22; running time, 72 min.)

Quirt and Flagg, the two characters of "What Price Glory" and of "Cockeyed World," are again seen in "Hot Pepper"; continuing with their fights, love-making, and cheating, they are this time a little more vulgar.

The action is fast and the story has many laughs, starting with the opening scene in which Quirt, using a pair of dice that roll only sevens, cheats Flagg. Throughout, Quirt is able to fool Flagg and this brings about much comedy, particularly in one situation where Quirt, flashing a badge of the Revenue Department just as Flagg had opened a bottle of champagne in his own night club, threatens Flagg with exposure unless he pays him ten thousand dollars. After paying the money Flagg discovers to his sorrow that it was a novelty badge and that Quirt was not a revenue agent.

Most of the comedy and talk is rough, especially Quirt's wise-cacks, all of which have double meanings, some of them being just plain out-spoken vulgarities.

The girl they now fight over is Lupe Velez, who likes them both. Again Flagg puts one over on Quirt when he uses the information that Lupe had been a stowaway on one of Quirt's rum-running boats to obtain more money from Flagg. Flagg is enraged when Quirt runs off with Lupe; but later he is appeased when he finds her, working as an entertainer in Quirt's night-club, which Quirt had opened with the money he had procured from Flagg. Incidentally, Lupe Velez does a dance in the night-club scene which is actually indecent.

The funniest situations are in the closing scenes when Flagg and Quirt are back again in the Marines. This time they are training Chinese soldiers and cannot do very much with them since the soldiers do not understand English and they do not understand Chinese. Flagg and Quirt start arguing and to their amazement the soldiers start moving; it seems that all their swearing words had Chinese military meanings.

The plot was adapted from a story by Dudley Nichols. It was directed by John G. Blystone. In the cast are El Brendel, Lilian Bond, Gloria Roy, Boothe Howard, and others.

Not suitable for children or for Sunday showing. Those who enjoyed "Cockeyed World" should enjoy also this one.

Substitution Facts: No. 43 is listed on the contract as "What Price Glory," based on the play by Maxwell Anderson and Laurence Stallings, and described in the work-sheet with an all-star cast including Spencer Tracy and Ralph Bellamy. The characters of Flagg and Quirt remain in "Hot Pepper" but it is a star substitution.

(The Home office gives the running time as 74 minutes.)



only to skim the cream off the moving picture business, but also to keep the pictures back so that when the unaffiliated exhibitors get them their drawing powers have been lost to a great extent. At the Park Central mass meeting of the independent exhibitors last December, Richey accused Butterfield of getting 180 days protection, an accusation he did not deny. A protection of this length is, you must admit, a valuable privilege, worth fighting for.

Now, if the proposal about local conciliation boards put forward by Allied States at the time of holding the joint conferences between Allied and M.P.T.O.A. leaders should ever be adopted by the producers, Mr. Butterfield will run the danger of losing this valuable privilege, for if a competitor of his should put in a complaint that a protection of 180 days is too long, in that it is ruining his business, the local board must, if it consists of fair-minded conciliators, render a verdict in favor of the complainant, forcing Mr. Butterfield to reduce the length, and perhaps the area, of his protection. Things might be different if the members of the board were friendly to him. The distributor members will naturally be friendly. But how about the exhibitor members? With Allied appointing the exhibitor members, there is no chance for favors; but with friendly exhibitor members, things might be different. Hence, perhaps, Mr. Butterfield's sudden interest in independent exhibitor organization matters.

Mr. Butterfield says that the motto of the new organization will be, "One For All and All For One"; he might have put it more accurately thus: "W. S. Butterfield For Himself and All for Mr. Butterfield."

### THE EFFECT OF TELLING THE PUBLIC THAT YOU ARE NOT RESPONSIBLE FOR THE SALACIOUS PICTURES

In the issue of January 14, I called your attention to the fact that Mr. J. F. Cass, of Sumner, Iowa, printed in his house organ an appeal to the people of his community urging them to write to their congressmen to vote for Bill S. 3770 and for Resolution S. 170.

Since I felt that the appeal was written well, I urged you to reprint it and pass it to the people of your community, for I believe that, in this manner, your public will learn that you are not responsible for the demoralizing pictures you are compelled to show.

Mr. Cass has written me again as follows:

"I know you will be interested in knowing the reaction of the public in Sumner to the article. Well, it created considerable interest. We had requests for over 200 extra copies. Many people have come to the theatre and apologized for what they admitted was their belief that we were responsible for the smut. Some of them are contemplating a mass meeting and many have already written to their congressmen. The local newspapers are copying the article and some editorials are being written urging legislation. In all there is much more friendly spirit shown than existed before the article was published."

You have an opportunity to create good will among the people of your community. Just do what Mr. Cass has done—tell them that you are not responsible for the filthy, demoralizing pictures you have to show, urging them to request your congress-

men to vote for Bill S. 3770 and for Resolution S. 170. It is imperative that you do so, for the late producer statements in the newspapers and over the radio about the improvement in the moral quality of the pictures leave the impression among the public that the one responsible for the showing of the demoralizing pictures is you, the exhibitor. There is hardly a picture produced but contains a filthy situation, even when the story does not require it. If you should keep silent, you will get the blame.

### WHY THE DIFFERENCE IN THE RUNNING TIME?

When I reviewed "Hot Pepper" at the RKO Roxy, I checked up the running time with two stop watches. Both showed the running time as being 72 minutes.

I called up the theatre and they gave me the running time as 74 minutes. The publicity department of Fox Film Corporation gave us the time as 74 minutes.

I checked up my stop watches with my watch and found them accurate. And my watch, checked up with observatory time, loses about one-fourth minute in seven days.

Here is another case: My running time of "The Vampire Bat" was 62½ minutes. Majestic Pictures Corporation gave me 66½ minutes. I felt that their figures were wrong; so when the picture started its engagement at a local theatre here, I called up and was given 64 minutes as the running time. But I still feel that 62½ minutes is the accurate time.

In last week's issue I gave you the running time of some Universal pictures both as I found it and as it was given to me by Universal. After the editorial appeared a Universal employee called me up and told me that the difference between my time and theirs may have been caused by the fact that the leader in each reel was counted in. I was then given the "action" footage, which is as follows:

"Air Mail" 7601 ft.; running time 84½ minutes. Our time indicated 82 minutes and theirs 86½ minutes. There is still a difference of two and one-half minutes from our time. Part of it may be accounted for by the fact that heretofore I did not count in the time of the cast trailer, shown at the end. So I believe that my time is more nearly accurate.

"The Old Dark House": 6443 ft.; or 71½ min. My time was 72 minutes and theirs 74½ minutes. My time was accurate.

"Afraid to Talk": 6688 ft., or 74 minutes. My time, as given in the review, was 73 minutes; their time, as printed in the editorial last week, was 76½ minutes. Figuring the difference of one minute as the running time of the cast trailer, you can see that my time was accurate.

"Laughter in Hell": 6204 ft., or a little less than 69 minutes. My time was 67 minutes; theirs, 72 minutes. My time was more nearly accurate.

"The Mummy": 6582 ft., or 73 minutes. My time was 72 minutes; theirs, 75 minutes. Figuring the cast trailer about one minute, my time, as given in the review, is accurate one hundred per cent.

I am doing all I can to obtain the accurate time for you; and with the inquiries I am making at the different home offices when I discover a discrepancy I believe that in time I shall be able to eliminate errors, wherever these may occur.



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Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial  
Columns, if It is to Benefit the Exhibitor.

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

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No. 5

### AMBASSADORS OF ILL WILL

*The Christian Science Monitor*, in an endeavor to ascertain how accurate are the reports that the American films misrepresent American life abroad, has undertaken a wide inquiry covering every important country in the world, the findings of which are now being printed.

Up to the time of writing this editorial, five articles appeared; they present an astonishingly gloomy picture.

HARRISON'S REPORTS has held the belief for years that the average American film misrepresents the American nation to the foreigners. As far back as 1920, it printed an editorial calling the attention of the producers to the fact that most of the western pictures presented Americans as being lynchers, robbers and murderers.

With the hope that the findings of *The Christian Science Monitor* will induce the producers to modify their policy if not abandon it entirely if these facts were brought to their attention, this paper has undertaken to print extracts from them, adding whatever other facts it has in its possession. The harm done to this nation by the viciousness of some of the material adapted is so great that the producers should give these facts serious consideration. If they should not give them such consideration, it is not unlikely that the Government will take some action, for whatever benefit this nation receives from its picture sales abroad is more than offset by the losses it sustains from the untrue picture of the character of the American people the films present, and it is unthinkable that the United States Government will suffer this state of affairs to continue.

One other object that has prompted this publication to treat with this matter is its hope that the independent theatre owners will get a vivid picture of what is going on and will put their hearts and souls back of Bill S. 3770 and of Resolution S. 170, now on the calendar of the U. S. Senate. The producers have induced some independent theatre owners to fight these two measures by making them believe that it is "government interference." Fortunately these are only a few, and with the educational work carried on by HARRISON'S REPORTS, Allied States, and others friendly to the cause of cleaner pictures, the beneficial features of Bill S. 3770 are being brought home to them until none of them will remain hostile to it. It is only by such a law as Bill S. 3770 that we may hope to kill the vicious material now forming the basis of most pictures—material that deals with crime, lust, infidelity and corruption.

The following are extracts from the *Monitor's* articles:

Great Britain: "The dominant type of motion picture which Hollywood is now exporting abroad is fuel both to prejudice and misunderstanding about the people and the Government of the United States. It is spreading, with very little opportunity to stop it, a false picture of America.

"The force for distortion which such films are exerting upon British and European audiences is apparent, not only to Americans who know the truth about their own country, but also to numerous European motion picture critics who are astonished at the indifference which Hollywood shows in exploiting gangdom, graft and immorality. . . ."

After giving "Wet Parade" and "Disorderly Conduct" as two of the pictures which have presented a "false and harmful impression of American citizens and American institutions," the article states: "Whatever Hollywood intended, such are the impressions which their pictures consistently breed. Whatever Hollywood's theories, such are the facts which should and must be taken into account, unless the business men of the American film industry are to continue to damage their country and disserve what could be a constructive act. . . ."

"Invisible Power," "The Greeks Had a Word for It," "Scarface," "Laughing Sinners," "That's My Boy," "Justice for Sale," "Night After Night," and "Mad Masque-

rade" are some other pictures that, according to the writer, have presented a false picture of America to the British. "'Invisible Power' is another type of American film," he says, "which cannot fail to leave misleading and damaging impressions on any audience abroad."

France: "Careful questioning," says the article from Paris, "leaves little doubt that the films made in Hollywood have convinced most Frenchmen that promiscuous drinking is a feature of American life.

"Reviewing 'The Divorcee' in *L'Illustration*, 'R. de B.' is struck by 'the infantile extravagance with which Americans give themselves over to diversions in the home, the rite of the cocktail despite official dryness, the place occupied in the existence of young married couples and even of young girls by dance halls and night clubs.' So much of that sort of thing is depicted, he finds, that 'Paris by comparison with New York seems a most proper and well-behaved town.'"

Germany: Because of the strict censorship and quota restrictions, conditions are not so bad in Germany. Since the number of American films imported is anywhere between forty and sixty, and since films that are regarded as endangering public order, offending religious groups, dealing with immorality, endangering the reputation of Germany with other nations, are barred by the censors, the German picture-goers have no opportunity to form a poor opinion of American life and institutions, for only the best films are naturally permitted to enter that country. Such is the gist of the article from Germany.

Italy: "As a rule, censorship is not especially severe with American films, even when they represent aspects of life far removed from Italian mentality and temperament.

"It cannot be denied, however, that vivid pictures of unbridled luxury and of episodes of the underworld, the exaggerated 'true to life' representation of the unbounded freedom enjoyed by American youth, and above all the sensuous atmosphere in which certain love scenes are evolved, are such as to cause a distinctly adverse opinion in Italy regarding American ways and customs.

"On the other hand there are not wanting American films on a moral basis, which are greatly appreciated in Italy. Among these may be quoted films glorifying the ideals of heroism, films illustrating life in the army, navy and aviation, which are sure of instant success and numerous presentations.

"Films of the gangster type have given rise to a sense of surprise and uneasiness certainly not favorable to the excessive tolerance of the American authorities toward such realistic reproductions of life in the underworld."

Spain: One of the persons whom the *Monitor's* representative interviewed in Madrid was Señor Fernando G. Mantilla, the most famous film critic in Spain. Being a Doctor of Philosophy, Señor Mantilla is qualified to treat the subject from an enlightened angle. "It is obvious," Mr. Mantilla said, "that while serving a useful purpose by encouraging devotion to sport among young men and women, the American film has, unfortunately, glorified certain types of women. Films portraying such types are claimed to have a detrimental effect, especially among young girls. Hence, whereas ten years ago few women in the streets of Madrid showed noticeable use of cosmetics, now hardly a youngster of fifteen is seen without eyebrows plucked, lips painted, and made up deliberately to resemble a star known for her ability to play the part of a 'vamp' . . ."

"No sensible mother," he maintains, "would allow her children to attend such films as he has seen, not so much because of what they reflect, but because of what they seem

(Continued on last page)



### "Officer Thirteen" with Monte Blue and Lila Lee

(Allied Pictures; running time, 62 min.)

The first half of the picture is fairly interesting; comedy situations are brought about by two young boys, and there is an exciting chase by two policemen on motorcycles to overtake a speeding motorist, who purposely shoves one of the officers off the road which eventually causes his death. Human interest is aroused by the sorrow this man's death causes his mother, his son, and the hero. But the second half slows up considerably. The characters are sympathetic, but this alone is not sufficient to hold the interest:—

The hero and his pal, both motorcycle policemen, give chase to a speeding motorist. The motorist shoves the pal off the road, causing him to fall down an incline and suffer injuries. In the motorist's car is the heroine, who had tried in vain to make him stop speeding. The hero takes them to police headquarters where they are released on bail. The pal dies; at the coroner's inquest both the heroine and the motorist, because of their influence and the lies they tell, are acquitted. This the hero verbally resents. This outspokenness brings about his demotion. The heroine, conscience-stricken when she sees what sorrow the man's death had brought to his mother and his child, goes to the chief of police and confesses. But the chief cannot do anything because of the motorist's influence. She meets the hero and relates what she had done; he is enraged when the chief explains his inability to prosecute. He and the chief plan to get the motorist in another way—by raiding a gambling establishment in which he is interested. At the raid the motorist is killed when he tries to escape. By this time the hero and the heroine are in love and they are united.

The plot was adapted from a story by Paul Edwards. It was directed by George Melford. In the cast are Seena Owen, Charles Delaney, Florence Robert, Mickey McGuire, Jackie Searle, and others.

Suitable for children; not objectionable for Sunday showing.

### "Hello Everybody" with Kate Smith

(Paramount, Feb. 17; running time, 69½ min.)

This picture will probably amuse those spectators who are interested in seeing and hearing Kate Smith, a great radio favorite, for she is the central character of "Hello Everybody," singing many songs of the type that appeal to her fans. Although she has a pleasing personality and a good singing voice, to those not interested in radio entertainers it may prove boring, for, despite its clean and wholesome atmosphere, the story and dialogue is insipid, the action is slow, and offers little entertainment. Comedy is provided by some of the country characters:—

Kate Smith fights the heads of the power company in their attempt to buy up all the farms to build a large dam, for she had worked hard to make the family farm financially successful; it provided a good living for her invalid mother, two sisters, a brother and herself. Randolph Scott, working for the power company, calls to induce Kate to sell the farm, but she refuses. He meets her sister, Sally Blane, and they fall in love with each other. Randolph and Sally marry and decide to stay at the farm so as to help Kate fight the power company from which Randolph had resigned when they suggested that he use his influence to make Kate sell out. The power company holds a social for the townfolk which is broadcast. Kate sings a song. Shortly afterwards she receives an offer to sing for a commercial hour over the radio but not wanting to leave the farm she refuses. The power company starts suit against the farmers and they all, including Kate, contribute their savings to fight the case. They lose and more money is needed for appeal. Kate decides to take the radio offer to earn the money. She soon becomes a great favorite earning much money. But with all the money the farmers lose the appeal. Kate, heartbroken, returns home for a visit with her family. The farmers are enraged when she prevents them from harming the power head and accuse her of being allied with him. Randolph, who had been doing some investigating on his own, discovers that the power company could build their dam in another way; this would cost them an additional \$100,000. Kate offers to pay half of that amount if the company would cease annoying the farmers. They agree; everybody is happy, and Kate goes back to New York to fill her engagements.

The plot was adapted from a story by Fannie Hurst. It was directed by William Seiter. In the cast are Julia Swayne Gordon, Jerry Tucker, Marguerite Campbell, Charles Grapewin, William Davidson, and others.

Suitable for children and for Sunday showing.

### "Death Kiss" with Bela Lugosi and David Manners

(KBS Tiffany, Dec. 25; running time, 71 min.)

A good murder mystery melodrama; suspense is sustained throughout. The murder is done in an ingenious way, and the solving of it is logical. The actions of several of the characters make them appear as if guilty, particularly one of them, but he, too, is murdered, again shifting suspicion to other characters. The discovery of the murderer comes as a surprise since at no time is he suspected. The closing scenes are extremely exciting; here the murderer, in an attempt to escape, falls to his death. Sympathy is felt for the hero and the heroine; for her, because she, although innocent, is accused of the murder; and for him, because he, in his efforts to clear the heroine's name, puts himself in danger of being killed by the murderer. Comedy situations are brought about by a stupid studio policeman, who tries to solve the murders:—

At a motion picture studio where a picture was being taken, one scene calls for the murder of the leading man. The scene is taken but to everyone's horror the man is actually killed. The heroine, ex-wife of the murdered man, is suspected of the crime, but the hero, a scenario writer in love with her, knows she is innocent and sets out to prove it by investigating the clues himself. He goes to the home of a suspected man, but finds him dead. Things had been arranged to make it look like suicide but the hero convinces the detective that it is murder. Looking around at the scene of the first crime the hero finds a gun inside the spotlight which was used when the light was thrown on. He is about to remove the gun when he is knocked unconscious, and when he recovers the gun is missing. The studio issues orders to have the death scene reshot. The hero, having pieced together several bits of information, knows that the guilty man is the director, who had hated the dead man because he had found out about an affair between his wife and that man. When he is cornered, he switches off the lights and attempts to escape. But this is impossible and so he jumps from a high balcony to his death. The hero and the heroine are united.

The plot was adapted from a story by Madelon St. Dennis. It was directed by Edwin L. Marin. In the cast are Adrienne Ames, John Wray, Vince Barnett, Alexander Carr, Edward Van Sloan, and others.

Not suitable for children or for Sunday showing. (The home office gives the running time as 75 minutes. But the theatre's time coincides with our time.)

### "She Done Him Wrong" with Mae West and Cary Grant

(Paramount, Jan. 27; running time, 64 min.)

For a picture of its type it is entertaining; but it certainly is not for the family circle or for squeamish adults; for worked into the story is white slavery, liquor and immorality. Mae West is in a class by herself, since she can do and say vulgar things, sing ribald songs, and still not be particularly offensive because of her likeable personality. As for the story, one should not take it seriously if one hopes to be entertained; it is more or less a burlesque of the Bowery in the gay nineties, and all the action takes place in a combination dance hall-saloon. Some of it is vulgar with a touch of comedy, and some of it is vulgar in an uninteresting way. Mae West is shown as being a hard woman, interested in diamonds and in men who can provide her with such things. Although living with the wealthy owner of a saloon, it is shown that she is unaware of the fact that he is connected with a white slave gang. One unpleasant situation is where, in a struggle with a rival who attempted to kill her, Mae West accidentally stabs the woman to death. Occasionally she is shown as doing kind deeds, but this is not often; most of her good deeds have a selfish motive, such as buying property for a mission house, because she is interested in the man running the mission.

In the development of the plot it is shown that Mae West transfers her affections from one man to another, accepting diamonds from each one. She is particularly interested in Cary Grant, a mission worker, but he does not succumb to her charms. It turns out that Grant is not a mission worker at all, but a detective who had been spying on Noah Beery, owner of the saloon and Mae's lover. Beery is arrested for his connection with white slavers. And so is Owen Moore, a former lover of Mae's, who had been sent up the river, and who, having escaped, had been bothering her with his attentions. Mae West is now left

(Continued on next page.)



unattached, but this is soon taken care of by Cary Grant, who tells her that he now will provide her with diamonds. She readily consents to the arrangement.

The plot was adapted from the play "Diamond Lil" by Mae West. It was directed by Lowell Sherman. In the cast are Rafaela Ottiano, David Landau, Rochelle Hudson, Gilbert Roland, Fuzzy Knight, Dewey Robinson, and others.

Not suitable for children or for Sunday showing.

### "Whistling in the Dark"

(MGM, Jan. 21; running time, 78 min.)

Good entertainment. It is a comedy-melodrama, with a plot that is different from the usual run of pictures; one is held in tense suspense throughout. Comedy is mixed with the melodrama, and even at times when the picture is most exciting, the spectator is forced to laugh because of the way in which the excitement is brought about. The closing scenes offer suspense and thrills that will keep one at the edge of the seat; it is where the hero, the telephone wires having been severed, making communication with the outside world impossible, attaches these wires to a radio and in that way communicates with the police telling them where he was held captive. One unnecessary situation is a bedroom scene in which the comedy is suggestive; and has nothing to do with the story:—

The hero's car breaks down in front of a country estate. With him is the heroine, his fiancée; they were on their way to be married, having eloped. He enters the house to telephone and is greeted by six evil-looking men. They offer him a drink and he soon tells them about his ability as a writer of murder stories, and how much cleverer than the police he is. The heroine enters to ask him to hasten, but they are prevented from leaving. It seems the men were a gang of racketeers, anxious to kill a well-known man. They decide that the hero must write out a plot for them, to be so unusual that the murder will look as if it were a natural death. At first he refuses but when they threaten the heroine he is forced to comply with their wishes. He works out a plan for them whereby one of them is to board the same train on which the victim is to leave for Albany, to take the man's suitcase, to remove the tube of toothpaste from it, and to place poison on the tube cap, so that, when the victim brushes his teeth, he may be poisoned and die. After he gives them the plan they still refuse to release them. The hero is frantic. Suddenly an idea dawns on him. He connects the severed telephone wires to a radio and in that way is able to get the operator. He tells her of his plight and begs her to have the train stopped. This she is able to do, the police arrive in time to save him and the heroine, communication with the train is established, and he warns the victim not to brush his teeth.

The plot was adapted from the play by Laurence Gross and Edward Childs Carpenter. It was directed by Elliott Nugent. In the cast are Ernest Truex, Una Merkel, Edward Arnold, John Miljan, C. Henry Gordon, Johnny Hines, Joseph Cawthorn, Nat Pendleton, and others. Mr. Truex appears to better advantage in talking pictures, than he appeared in silent.

Because of the unnecessary bedroom scene, it is not suitable for children or for Sunday showing. (The home office running time is 80½ minutes. But the theatre's time agrees with ours.)

### "Parachute Jumper" with Douglas Fairbanks, Jr.

(Warner Bros., Jan. 28; running time, 72 min.)

Only fair. The fact that the hero is shown earning money in an illegal manner makes the story demoralizing; he flies an aeroplane from Canada to the United States, transporting liquor for his chief. In addition, there are some suggestive sex situations. During one of these scenes Leo Carillo kicks Claire Dodd as she leaves the room; it is about time the producers dispensed with this form of comedy, which cannot help being resented by decent people. There is comedy in the story, and suspense is brought about during the flying scenes; as for instance in the scene where the hero makes a parachute jump to earn seventy-five dollars. He lands on railroad tracks, lifting himself off a second before the train nears him. The closing scenes are exciting; they show the hero's pal jumping from his plane and the hero crashing his plane so as to deliver the villain to the police. The romance between the hero and the heroine is fairly appealing:—

The hero meets the heroine in a park. Both are hungry and broke; he suggests that she share the apartment in which he and his buddy live; she agrees. They soon fall

in love with each other. The hero is engaged as chauffeur to a Park Avenue lady. One evening she makes advances to him and as he kisses her the woman's lover (villain) enters with a gun. Admiring the hero's composure he decides not to shoot him; instead he employs him as his bodyguard. He suggests to the hero and his pal that they can make additional money by flying their planes to Canada, transporting liquor to the United States. The boys accept and the first night out they shoot down a government plane thinking them to be hijackers. The villain has a load of narcotics to deliver to Canada. He sends the pal off in a plane with part of the supply without telling him what it is. Then, at the point of a gun, he forces the hero with the balance of the supply into another plane. The hero turns the plane upside down, jostling the villain from his seat; then he knocks him unconscious. He signals to his pal and hands him a message. The pal sets fire to the plane and then leaps to safety. The hero crashes his plane and hands the villain over to the police with the supply of narcotics. The pal joins the Marines and the hero and the heroine are united.

The plot was adapted from a story by Rian James. It was directed by Alfred E. Green. In the cast are Leo Carillo, Frank McHugh, Bette Davis, Claire Dodd, Sheila Terry, Harold Huber, and others.

Not suitable for children or for Sunday showing. (Not a substitution.)

### "State Fair" with Janet Gaynor and Will Rogers

(Fox, rel. date not set; running time, 98½ min.)

Lavishly produced, with a star cast that turn in excellent performances, "State Fair" is good entertainment of the homely, human, sentimental type, with a rural background. At times, however, it moves somewhat slowly. For one thing, those who are accustomed to Will Rogers' quips will find them missing here. During most of the picture he is seriously concerned with his prize hog; where Rogers is, there is the hog. This is more of a woman's picture; situations such as the one in which Louise Dresser wins prizes for her pickles and mince meat will give them particular pleasure. Romance is pleasantly supplied by the love affair of Janet Gaynor and Lew Ayres, and unpleasantly by that of Norman Foster and Sally Eilers. During one supposedly artistic situation, in which the side of a bed is seen, together with a woman's negligee thrown across the back of a chair, the two can be heard talking; this scene, although done artistically, is very suggestive. The fact that Norman Foster is presented as an innocent country lad is hardly believable since he looks much too sophisticated.

The background of the state fair, with its side-shows, and its masses of people who look forward to this yearly event, is colorful and at times exciting. It has its touches of comedy, such as a "flirtation," if it can be called such, between a hog and a sow; the preparations for the presentation of the animals being entered for prizes, and the side-shows.

This story is concerned with one family, father, mother, son and daughter, who go to the fair, the parents looking for prizes, the children for romance. While wandering around the place the daughter meets a newspaper reporter and for the rest of the week they are almost constantly together; they soon are in love with each other, but the girl refuses to marry him because she is afraid of interfering with his career. The son meets a trapeze performer and they soon become intimate. She refuses to marry him, trying to reason with him that she is not suited for country life. The mother wins prizes with her foodstuffs, and the father with his prize hog. The fair is over and the family is homeward bound. The children are downcast and the parents are tired. The daughter does not particularly care to see her former suitor for her thoughts are constantly with the newspaper man. A telephone call from him makes her happy again and this time she accepts his proposal of marriage. The son goes to visit his fiancée. The father receives five dollars from a neighbor with whom he had bet that his hog would win, that his family would have a good time, and nothing bad would happen to any of them. The neighbor shakes his head remarking that maybe something did happen.

The plot was adapted from the novel by Phil Strong. It was directed by Henry King. Others in the cast are Frank Craven, Victor Jory, and Frank Melton.

Because of the sex situation referred to many of you may find it unsuitable for children or for Sunday showing. But it is drawing unprecedented crowds at the Music Hall, where it is now playing.



barely to conceal. If it is true, which he doubts, that the youth of America, especially the sons and daughters of rich parents, are not as they are represented, why, he asked, does America not produce others more in accordance with the truth?"

Portugal: "Portugese cinema-goers consider that many American films offer an unflattering impression of American customs, but Portuguese people in the main are unaffected by the habits and the manners which are depicted on the screen.

"... it is believed that producers in the United States must find that jazz and sex or drinking pictures have an appreciative public there, otherwise they would not be so plentiful.

"This type of film is not popular here and they are sometimes severely condemned by the parents who hesitate in taking their children to see them.

"An opinion elicited from a professor and dramatic critic was very uncompromising. He accused American films of being spectacular stuff, with weak plots, the perennial 'vamp,' and an exposition of jazz and drinking scenes, foreign to Latin mentality. For these reasons, he said, they have lost popularity and are being substituted by French and more especially by German pictures.

"Unfortunate effects are produced by the gangster 'heroes,' the predominant impression being that American authorities are unable or afraid to cope with these organized bands. Prohibition, likewise, is considered a farce, in view of the prevalence of drinking in many pictures. ..."

Speaking editorially in the January 26th issue, *The Christian Science Monitor* said partly the following:

"The Report that the ambassador of a great power was devoting much effort to libelling and villifying his own country in the land to which he was accredited would be everywhere dismissed as a fairy tale, a figment of some disordered imagination. But is it a fairy tale? Is it the product of an unbalanced newspaper monger?"

"Incredible as it may seem the answer is 'No.' True, the ambassador in question bears no credentials from his country to the state to which he is appointed. He does not need them. Neither are his utterances confined to rare post-prandial occasions. Day in and day out a nation-wide audience reacts to his disclosures. His name is Motion Picture, and the world is his sphere of action and that of his fellow-plenipotentiaries."

(To be continued next week.)

(Editor's Note: HARRISON'S REPORTS is glad, indeed, to reproduce herewith this letter. Mr. Fuller is known the world over as an able journalist and a renowned dramatic critic. He was war correspondent at different times for American newspapers. In fact he was the first to enter Port Arthur when the Japanese captured it from the Russians during the Russo-Japanese war. This paper is proud that its policy for cleaner story material is supported fully by a writer and dramatic critic of Mr. Fuller's experience, ability and knowledge.)

January 30, 1932.

P. S. HARRISON, ESQ.  
Editor and Publisher, "HARRISON'S REPORTS"  
1440 Broadway  
New York, N. Y.

My dear Mr. Harrison:

In your very sane and reliable "REPORTS" my attention was excited by your able review of "Cavalcade," now on view at the Gaiety.

I think it is not your practice to open your columns to outsiders, but I do feel that the point of view of one who was for some years a dramatic critic and who feels that here has arrived a unique beauty in the field of cinema art, might be of some value to the industry which sorely needs such leadership as "Cavalcade" offers it.

By this time, I am sure that Mr. Noel Coward's story is well known. A plain and simple tale of the march of the years through a period intensely vital.

The transition from the peaceful conservatism of what was known as the Victorian era, into what might be called the era of the "younger generation," was marked by many a shock. The shock of many wars—the Boer War in South Africa, the American war with Spain, the Russian-Japanese War, and finally the World War. Added to these were the growth of steadily increasing liberalism of thought, of

speech, of behavior; the lowering of the bars of sexual relations, and the ever increasing power of the machine to force devastating changes in modes of life, and make more intricate and difficult the relation of man to man.

All these episodes in the cavalcade of time, these clashes of arms; these conflicts of human spirits are informed with the spirit of melodrama as well as poignant tragedy, and nothing is more wonderful than that Winfield Sheehan, the producer of this beautiful picture, should have so bravely turned away from the cheap tawdryness of the Hollywood spirit and have informed this picture with a fine restraint and a gentlemanly reticence which marks the highest point yet reached in the making of American pictures.

In the presence of "Cavalcade," with the heart torn by many conflicting emotions, your mind filled with

... thoughts that do lie too deep for tears

as Wordsworth phrases it, such true sentimental generosity rises in the soul that one feels that many of the purple sins that becloud the past of Hollywood may be forgotten, if hardly forgiven.

To see how sheer beauty and noble thought, firm aspiration and high idealism may be wrought into a work of art, so true and inspiring that it lifts the beholder high into the empyrean above the sordid, meretricious selfishness of life, must be a cause for bitter regret to that army of producers who have so long been led astray. It never was true that the great American public demanded the tawdry filth, the crudities and nudities of sordid passion, and disgusting sex appeals. "Cavalcade," the finest and cleanest entertainment ever brought to the screen, proves that. It proves, by its instant success; by the gratitude with which it is received by: "all sorts and conditions of men," that here, at last, has been found a producer with brains keen enough, and heart properly attuned, so as to discover the true psychological path to the hearts and homes of the American people.

In the days to come, any step backward, back to the old muck and ill-flavor of lubricity and the poisoned fires of the bordello, can find no excuse. Because "Cavalcade" so fiercely demonstrates that beauty and truth and honesty, and

... high thoughts and comfortable deeds

belong by right to the motion picture as a form of art, who shall dare, in the days that are coming on, to offer the public pictures made with a baser motive? There is sadness in "Cavalcade," but it is the fine sadness evoked in the breast by the knowledge that we, too, have failed to do the best that was in us. Episode after episode in "Cavalcade" brings forcibly home to us how miserably we have allowed ourselves to slip down in our views of life. How clearly the conduct of these protagonists in the picture show us how thin is the crust of civilization on which this generation is walking.

When, over the sorrows and the righteous indignation over war's absurdities, we find ourselves wrought to tears of sympathy by the splendid dignity of Jane Marryot, so beautifully played by Miss Diana Wynyard, we are brought to know, inevitably, that the love of higher things has some chance to contend, still, against the stupidity of mankind.

There is an eternal significance about this picture; not only in its grim pictures of frightful war, but equally so in the aftermath of cynicism which follows.

You may laugh with certain episodes of "Cavalcade," but the laughter has little ring of mirth in it. You will cry over other episodes, and yet the tears will be happy ones, springing from the noblest impulses of the human heart:

... Tears from the depths of some divine despair  
Rise in the heart and gather in the eyes,  
In thinking of the days that are no more.

The feelings aroused by Noel Coward's epic are too deep and sincere to be expressed by a multitude of superlatives. Winfield Sheehan has produced a work of beauty and art which shouts, in a loud voice, a message of hope and joy to all people who love life, and who hope much from it.

It is a magic thing that has been wrought in the field of the motion picture, before which, as has so truly been said by a noble statesman: "Before which the voice of criticism is dumb."

Will you pardon me if in my enthusiasm and zeal I have, my dear Mr. Harrison, exhausted your patience?

Sincerely yours,

HECTOR FULLER.



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Vol. XV

SATURDAY, FEBRUARY 11, 1933

No. 6

## DEFAMING AMERICA FOR PROFIT!

From time to time the professor of some university will issue a statement to the effect that, according to his investigations, evil pictures exert no demoralizing influence upon the youth.

A statement of this kind is the result, either of hasty investigation, or of improper outside influence, for any sane person knows that an assertion of this kind is contrary to the truth. The best proof of it is the fact that the popularity of the most popular screen star can be destroyed if such star were given a villainous part in one or two pictures. The picture-goer unconsciously endows that star with the moral make-up of the part he or she impersonates.

If the assuming of a villainous part by a player has such an influence upon mature minds, you may readily see what an influence the glorification of a gambler, of a burglar, of a hold-up man, of a licentious man, exerts upon the minds of young men; and that of a prostitute, in the minds of young women.

The findings of *The Christian Century* abroad are neither erroneous nor exaggerated; they are the natural consequence of the type of pictures we have been exporting for several years. The impression the people of other countries get is that what is shown in our pictures represents our national life and character. And these findings tend to corroborate the assertion that demoralizing pictures exert a demoralizing influence, not only upon the youth of this country, but even upon many adults. When the murderer is shown wiping off his gun after shooting and killing his victim, so as to remove his fingerprints; when the burglar is shown, while manipulating the combination of the safe, wearing gloves so as not to leave his fingerprints anywhere; when drinking is made so attractive; when gambling is made to appear so fascinating; when prostitution is surrounded with so much splendor, it is hypocritical to insist that these exert no evil influence upon such minds.

It is hardly necessary to treat with *The Christian Science Monitor* articles from other countries, for they all convey the same facts the articles treated in last week's issue of HARRISON'S REPORTS convey. I shall, however, print a letter sent to me by an exhibitor of New Zealand, for not only is the writer of this letter friendly to Americans, but it tends to corroborate the findings of *The Christian Century*. From what I have gathered, the writer is a broad-minded person, his only motive being, in sending me that letter, his grief in seeing the American name dragged into the mire by the American films:

"It would be no exaggeration to say that nothing America has ever done or is ever likely to do has injured the standing of the United States as much

as the pictures it has produced. What the American Censor, or the American Public or Government, are thinking about is beyond my comprehension.

"It is quite an exception for an American picture not to feature drinking. You could not persuade even a fifteen year old boy—

"1. That every American, from the President down to the toughest Chicago gangster, is not a hard drinker;

"2. That there was an honest American Business man, politician, judge or jury; and

"3. That there is any such thing as a clean, honest newspaper man.

"That is what the American picture producer has done with this golden opportunity. It has gone beyond recall. The opportunity to build up throughout the civilized world the most wonderful and profitable reputation for American home, political and educational life any nation has ever had. But what has he done? He has taught the world (not the Dominion of New Zealand alone) that those things our mothers, our churches, our government taught us to believe, were not worth having.

"They have taught us to believe that clean, honest courts of justice; clean, honest home life; clean, honest sport, are not known in the United States; that every man breaks the law against drinking; that marriage is a farce.

"I know America. I know hundreds of real Americans, and that is one reason why it is beyond my comprehension how the REAL America could allow this thing to go on. America is portrayed as the land of loose women, drinking men and women, dishonest judges and juries, corrupt Government, rum-runners. And what has been gained by all this boost of Hollywood stars, their stories of high salaries, divorces, etc., etc.? Nothing but moral and financial bankruptcy.

"The foregoing may sound exaggerated criticism. It is not! America is judged today by what Americans tell us life is like over there. And that is what they tell us.

"I make the following constructive suggestions:

"We of the Dominion of New Zealand are known throughout the world by our exports. To make sure that we are known well and favourably, we have export control boards. Before butter, cheese, lamb, wool, fruit, etc., is allowed to leave the Dominion, even for the home market, it must pass the Export Control Board. I suggest that before an American producer is allowed to export films they should pass an Export Board. (I admit a difficulty here. According to the 'Talkies,' it would be impossible to get an honest board; it would simply be another opportunity for graft.) This would not interfere

(Continued on last page)



### "Luxury Liner" with George Brent and Zita Johann

(Paramount, Feb. 3; running time, 68 min.)

A fair comedy-melodrama. Suspense is brought about by the fact that the hero, doctor on the ship which had as passengers his wife and her paramour, is determined to stop her from remaining with her lover. Several dramatic situations arise when the hero confronts his wife, and when he later visits her while she is with her lover. Sympathy is felt for him because of his unhappiness; the heroine, assisting nurse of his, arouses sympathy, too; she suffers much because of the death of her two children, which she had brought about when attempting to die with them, because her husband had deserted her. She had been rescued but her babies were dead.

The picture is done in the style of "Grand Hotel," with many characters involved. Comedy is aroused by the passengers in the third class, particularly by Alice White, an ambitious third-class traveler, who felt that life would be wonderful if she could get to the first class section. But when she, by using her charms on several men, does get there, she finds that it is better to remain on the third deck rather than submit to the desires of her "first-class" friend.

In the development of the plot the hero pleads with his wife to give up her mad notion of going away with her lover. But she insists on doing what she wanted and orders her husband out of her room. Her lover, tired of the wrangling and, having become interested in another woman on the ship, offers her a check so as to be rid of her. She shoots and kills him. Since she had used the hero's gun he is charged with the murder. But leaving a note confessing to the murder, she jumps overboard. The hero is cleared. The hero and the heroine, having fallen in love with each other, are united.

The plot was adapted from a story by Gina Kaus. It was directed by Lother Mendes. In the cast are Vivienne Osborne, Veree Teasdale, C. Aubrey Smith, Frank Morgan, Henry Wadsworth, Theodore Von Eltz, and others.

Not suitable for children or for Sunday showing.

### "The Secret of Madame Blanche" with Irene Dunne and Lionel Atwill

(MGM., Feb. 3; running time, 83 min.)

Fairly good entertainment. The theme is that of mother love and sacrifice. The fact that Irene Dunne is presented at all times as being a good woman arouses much sympathy for her. The situation in which her baby is taken from her by her stern father-in-law has deep human appeal and will bring tears to the eyes; also a preceding situation in which she learns her husband had killed himself. Dramatic situations are brought about in the closing scenes when the heroine accidentally meets her son, and goes about caring for him when he is in trouble. Not much respect is felt for the son, for he takes a young innocent girl to a drinking cafe with the intention of seducing her. These scenes are unpleasant, particularly when the son kills the girl's father. The most dramatic scene is in the courtroom where Irene Dunne, who, in order to save her son, had confessed to the murder, is being tried; it is here where the fact that she is the boy's mother is brought out. At this point, the son wins sympathy for the first time, for he tells the truth, thus protecting his mother:—

Irene Dunne, an American chorus girl, meets Phillip Holmes, son of an aristocratic English family, while playing in London. He marries her and this so enrages his father that he refuses to support him. Not being fitted to do any sort of work, he goes to his father to beg for help. This his father refuses unless Phillip gives up Irene Dunne. The boy promises to do this, goes to his room and kills himself. The father finds a letter from Irene in which she tells Phillip she is going to have a baby. When the baby is born she is forced to sing in cabarets in order to support herself and the baby. The father-in-law procures a court order and takes the child away from her on the ground that she was unfit. Twenty years pass and she is now the owner of a cafe in Paris. The son goes there with a young girl and he becomes drunk, demanding a room. He is knocked out by a waiter and taken to Irene's room. When the girl tells her the boy's name she is shocked, for she realizes that he is her own son. She sends the girl home and then cares for the boy. When he regains consciousness he thanks her, and as he is about to leave the girl's father comes to the place de-

manding to see the son. They start fighting and in self defense the boy shoots and kills the father. Irene sends her son away and then takes the blame for the murder. At the trial it is brought out that she was doing this to shield her son. When the boys hears that she is his mother he tells the truth and is convicted to three years in prison. He visits him there and he tells her that when he is released they will go to America together.

The plot was adapted from the play "The Lady," by Martin Brown. It was directed by Charles Brabin. In the cast are Una Merkel, Douglas Walton, C. Henry Gordon, Jean Parker and Mitchell Lewis.

Not suitable for children or for Sunday showing.

### "Dangerously Yours" with Warner Baxter

(Fox, Jan. 29; running time, 72 min.)

Just a fair entertainment, with this disadvantage, that many Baxter fans may object to seeing Warner Baxter as a crook, even though he reforms in the end, for the reformation is hardly powerful enough to offset the bad taste his earlier acts leave. There is some suspense here and there—in the scenes where the hero is robbing the wealthy woman of her jewels, and later on when his personal liberty is endangered by the efforts of the police to capture him. On the whole, however, the doings of the chief characters are not so interesting, and in some instances unbelievable. For instance, it is difficult for one to believe the fact that the hero is a jewel thief when he owns a yacht and lives in luxury; and when one comes to realize it, one dislikes seeing Mr. Baxter in that part:—

The hero, a society jewel thief, is a guest of a wealthy society woman at her Long Island home. That night he arranges matters so that a Hindu occultist holds a seance. While the lights are out the hero steals the wealthy woman's jewels. The heroine, a detective in the employ of the insurance company, who had been attracted by the looks of the hero, tells him that she knows he has the jewels. The hero, who had fallen in love with her at first sight, admits it and begs her to run away with him. She pretends that she will go with him and informs the authorities. The hero overhears her telephone conversation, abducts her, carries her on his yacht, and in order to prevent her escape chains a small anchor to one of her feet. The heroine berates him for being a crook. In the end, love conquers: the hero, during a prearranged seance at the same wealthy woman's home, puts the jewels where every one had thought they were in that place all the while. The heroine, now deeply in love with the hero, consents to marry him.

The plot has been taken from a story by Paul Hervey Fox. It was directed by Frank Tuttle. Mr. Baxter does the best he can in an unpleasant part. Miriam Jordan is the heroine. Some of the others in the cast are: Herbert Mundin, Florence Eldridge, William Davidson, Arthur Hoyt, Edmund Burns.

Not suitable for children or for Sunday showing.

### "Terror Trail" with Tom Mix

(Universal, Feb. 2; running time, 56 min.)

Like all Tom Mix stories, this one, too, offers excitement and thrills. There is the regular amount of shooting and riding the horses at top speed either to capture the villains or to get away from their clutches.

This time, Mix is up against a clever gang of outlaws, called "The Paint Horse Gang," who change horses after each desperate deed and escape detection. They commit all kinds of crimes; they hold up stages, killing the guards, slay ranchers, steal horses, loot mines, and hold up trains. All the rewards offered for their apprehension and capture are of no avail, until some one telegraphs the Governor for help and Tom Mix is sent to clean up the gang. By playing up around for a while he learns that the brother of the heroine, with whom he had fallen in love, is one of the gang, but that he had not favored killing and had not taken any part in the murders. Through this boy the hero is enabled to obtain enough information to make it possible for him to exterminate the gang. He obtains a pardon for the heroine's brother and then marries the heroine.

Grant Taylor wrote the story, Armand Schaefer directed it. Naomi Judge is the heroine. Raymond Hatton, John St. Polis, Frank Brownlee and others are in the cast. The action unfolds in Arizona, in the year 1885.

If you have been in the habit of showing westerns to children, and on Sundays, this one should serve the purpose.



### **"Hard To Handle" with James Cagney and Mary Brian**

(Warner Bros., Jan. 28; running time, 80 min.)

A fairly good entertainment of its kind. Done in the breezy Cagney style, it should please his followers, for it moves at a fast pace. But it is a rather sloppy comedy, with the comedy mostly forced. The theme is demoralizing, since it shows Cagney becoming wealthy by promoting schemes that are not legitimate. There is some suspense when Cagney finds it necessary to run away from threatening mobs who find they had been fooled; also in the situation where he is held accountable for selling stock in a fake company. The funniest situations are brought about by the gold-digging tactics of Ruth Donnelly, who is determined to see her daughter (Mary Brian) marry a wealthy man:—

Cagney, publicity agent for a dance marathon, at which Mary Brian wins the first prize of \$1000, finds that the promoter had walked out with all the money. He manages to escape the threatening mob that had gathered when he tells them he cannot pay Mary. The next night he sneaks over to Mary's house to tell her how it all happened. Since they are in love with each other she forgives him, but Ruth Donnelly, who had visions that her daughter should marry a wealthy man, leaves town without telling Cagney; she takes Mary to New York. Cagney follows them and is soon plunged into a publicity campaign to sell cold-cream for reducing purposes. Since he is making money, Ruth now wants Mary to marry him. But Mary wants to wait to test Cagney's love for her. He leaves for Florida to start a campaign to sell stock in a real estate concern. The promoter's daughter forces her attentions on him, and one morning, while he is having breakfast with her, in walks Mary and her mother; they had come down as a surprise. Mary rushes from the room and goes back to New York with her mother. He follows her but she refuses to see him, telling him she is going to marry another suitor. The District Attorney, after investigation, finds that the stock selling scheme was a fraud and Cagney is jailed. When he is released on bail he thinks of a scheme to make the stock pay and when this works out he is cleared of all charges. Determined to make Mary confess she loves him, he calls on her. When she opens the door she finds him handcuffed with two "detectives" at his side. He tells her he had been sentenced to ten years in prison and she weepingly tells him she will wait for him. Everybody laughs and he tells her it was a hoax. She forgives him and they are united.

The plot was adapted from a story by Houston Branch. It was directed by Mervyn LeRoy. In the cast are Allen Jenkins, Claire Dodd, Gavin Gordon, Emma Dunn, Robert McWade, and others.

Not suitable for children or for Sunday showing.

### **"The Iron Master" with Reginald Denny and Lila Lee**

(Allied Pictures; running time, 65 min.)

A fairly good program picture; it has some human interest and suspense. The hero arouses much sympathy because of his desire to do the right thing for the heroine and her family. But as for the heroine, her mother and brother, they all behave in such an obnoxious manner, continuously shouting and wrangling, that it wears down the spectator's patience. The fact that the heroine and her brother behave in a despicable manner by gaining the hero's confidence and then double-crossing him so as to ruin him, makes one lose all respect for them; during the closing scenes one feels a little sympathy for the heroine when she realizes the wrong she had done to the hero and begs his forgiveness. Comedy is supplied by the heroine's little nephew; also by the hero's secretary:—

The hero is made executor of the estate of his employer, owner of a steel mill, by his will. This step had been taken by him because he felt that the hero had more common sense than any member of his own family. But the family, consisting of the heroine, her brother, sister and mother, resent this and behave toward the hero in the rudest manner possible. Finding this method ineffective they plan to become friendly with the hero, gain his confidence, and then double-cross him by giving business secrets to the villain, so as to ruin the hero. In this way the villain is able to underbid the hero on important jobs. Things become so bad that the hero is forced to put his own fortune into the business. It suddenly dawns on the heroine that she had been behaving in a vile

manner, and realizing that she was in love with the hero confesses all to him. He is discouraged, particularly when he learns that the brother had gone with an important bid to the villain. But it develops that the heroine's little nephew, over-hearing an argument between the heroine and her brother, had changed the papers in the envelope by replacing the bid with pictures he had drawn. When the deed is discovered on him every one is joyful. The hero and the heroine are united.

The plot was adapted from a story by Georges Ohnet. It was directed by Chester M. Franklin. In the cast are J. Farrell MacDonald, Esther Howard, William Janney, Virginia Sale, Richard Tucker, and others.

Suitable for children and for Sunday showing.

### **"Infernal Machine" with Chester Morris and Genevieve Tobin**

(Fox, Feb. 5; running time, 65 min.)

Terrible! Not only is the story inane, but the direction and acting is so amateurish that supposedly dramatic situations become farcical. In addition to this, there are several sex situations that are annoyingly and disgustingly vulgar. This comes about when the hero insists that the heroine remain with him alone in his room; several people listen in to their conversation, and the vulgar implications are what bring about the disgusting feature. The picture was not meant as a comedy; it was to be and is a melodrama. But it is so poor, that the audience will howl with laughter because of its stupidity. None of the characters do anything to arouse sympathy. Some suspense is brought about by the fact that an infernal machine was supposed to be hidden on a steamer, timed to go off at midnight, later the characters discovering that this was merely a hoax:—

The hero, desirous of returning the heroine's purse which he had rescued for her when they were held up by some apaches in a squalid section of Paris, learns that she had left for America with her fiancé and her aunt. Not having any money, he becomes a stowaway on the ship and soon makes his presence known to the heroine. He finds out that the heroine despises her fiancé, her aunt's choice, because of his money. He and the heroine are soon very much in love with each other. The Captain and several other passengers are distressed, for the Captain had received a radiogram saying that an infernal machine was aboard ship set to go off at midnight. They are frantic and do not know what to do. The hero, wanting to be alone with the heroine, "confesses" to having placed the machine on the ship and that if the heroine would come to his room for fifty minutes he would remove the machine. Urged by her fiancé and the other people she goes to the hero and he tells her of the hoax. He looks over the radiogram and a thought strikes him: Rushing to the telegraph office, he corners the operator and makes him confess that he had written the message himself just to get the reactions of the high and mighty people, to use his findings in the book he was writing. Everybody is happy. The hero and the heroine plan to be married by the Captain of the ship.

The plot was adapted from a story by Carl Sloboda. It was directed by Marcel Varnel. In the cast are Victor Jory, Elizabeth Patterson, Arthur Hohl, Robert Litterfield and others.

Not suitable for children or for Sunday showing.

### **THIS PAPER'S EFFORTS ON BEHALF OF BILL S. 3770**

In the February 1 issue of *The Christian Century* there appears an appeal by this paper to the readers of the publication on behalf of Bill S. 3770. The editor, in calling the attention of his readers to that appeal, urges them all to answer my plea and write to their senators urging the passage of that bill, and of Resolution S. 170.

A similar appeal from this paper was printed in the February 4 issue of *The Churchman*. And its editor, like the editor of *The Christian Century*, urged editorially his readers to respond to the appeal and write to their senators to support these two measures.

Leave nothing undone to gain support for Bill S. 3770 and for Resolution S. 170.



with production for home consumption. As long as prohibition is in force, pictures showing drinking parties, speakeasies, rum-running, police frameups, corrupt judges or juries, etc., should be prohibited for export.

"Not only should the pictures be subject to export licenses but also announcement books, printed matter, titles, etc. For example, this year's announcement books show 'No Bed of Her Own,' 'Bought on Time,' 'Apartment House Love,' 'American Madness.'

"Suggestion No. 2: That the American producers get together, cut out the 'soft' overseas jobs; that one special agent be appointed in each country and one American picture exchange; that the representative of each producer coming over to sell his product hand his contracts over to the American exchange and then go back home to work. This would save them an enormous amount of money and turn a loss into a profit. . . .

"What has the American producer done? He has made a rod with which he has beaten himself—boomed dirt instead of clean honest amusement. . . .

"Do not imagine for one moment that I think the moving picture producer should turn educationist any more than the Church should turn entertainer. My job as an exhibitor is to entertain and amuse the public; give them pleasure and enjoyment, make them laugh or even cry, for the joy of good acting.

"The talking picture producer, especially the American, had the world's best opportunities; he had no need to boom divorces, high life, drinking, escapades with other men's wives or daughters. . . .

"Auckland is a city of 120,000 population. Sixty to eighty thousand people visit the talking pictures every week. Out of every one hundred pictures shown about seventy are American; and about sixty out of every seventy of these feature drinking, immorality, and corruption as the everyday American life. Your forecasts and reviews prove this statement.

"For your information I would say that I drink moderately, smoke, play cards, love a story with a kick in it, enjoy a good laugh; I take an interest in boys' work, say my prayers, listen to the "Padre," and give him as little trouble as possible, favor short frocks (I like the look of their legs,) hate lipstick if it comes off, have a keen eye for a pretty leg (you know it is pleasant to look at them), but "mother" is the one for me—I love my family. In short, I am just an average citizen."

### A PREDICTION COMES TRUE!

In treating with the Radio City theatres in January 7 issue, this paper said:—

"The influence the erection of these theatres will have upon the picture business in New York City is destined to be extremely detrimental in case the Music Hall cannot be operated profitably as a vaudeville house, for in all probabilities it will be turned into a picture house, with low admission prices, in which event the receipts of almost every other picture house in Greater New York will be affected."

One week after the "flappish" opening of the Music Hall, the old policy was discarded and a picture policy was adopted, with prices ranging from 35c to 75c, including tax.

The effect of the low prices was instantaneous; the other Broadway houses looked like graveyards

that week, and they have so looked since then, for the crowds went all to the Music Hall. There were, and have been since lines extending from Sixth Avenue to Fifth Avenue, four abreast. The theatre that was affected the most was the old Roxy. As a result, the new management reduced the prices at once—to 25c in the afternoon, and 35c in the evening, any seat in the house; children 15c.

The other first-run houses, too, have reduced prices slightly. For instance, the Paramount, Capitol (MGM), and Strand (Warner). But things have not been improved; business has been killed for them. Already one theatre has been closed—the Rialto. How many others will have to close it is too early to tell.

Neighborhood exhibitors, too, have felt keenly the competition from the Radio Theatres. Matters have been made worse for them by the old Roxy's lowering its prices to 25c and 35c.

### GOOD CHART SYSTEMS INSTEAD OF GOOD PICTURES

"New chart and graph systems successfully analyzing and distributing production in relation to entertainment in pictures," says a publicity yarn sent out by the RKO studios in Los Angeles, "has been perfected and placed in operation at the RKO studios. Footage, proper for settings, costuming and talent, are brought under microscopic analysis by the new system. . . . It assures studios fully one hundred per cent value from every dollar spent. . . ."

This yarn reminds me of the old First National "Chart and Graph" system, which showed where a dollar went, but not where went THE dollars.

If the RKO studios should invent a "Chart and Graph" system that will show them how to get more entertainment out of each dollar spent than obtained by any other studio, they would accomplish something worth recording.

Instead of inventing Graphs and Charts, the producers had better engage competent writers who know good story material, for it is only through such material that they will succeed making box office pictures.

### "SINCE WILL HAYS CLEANED UP THE MOVIES"

The January issue of *Postage and Mail Bag* reproduced an advertisement inserted by the old Roxy in the New York papers while playing "Frisco Jenny"; it showed a woman with her stylish dress open exposing the entire knee and thigh. Below the advertisement the editor inserted the following wording: "Since Will Hays Cleaned Up the Movies."

### STEFFES RESIGNS; RITTER ELECTED ALLIED HEAD

I supposed that Al Steffes, like every other exhibitor leader, got tired doing things for exhibitors and being paid with abuse and decided to divest himself of all offices in exhibitor organizations, national and local, letting some other fellow stand some abuse for a while. I don't blame him so much.

James Ritter, of Detroit, an old time exhibitor and staunch friend of HARRISON'S REPORTS, has been elected Allied States president. Evidently Jim, who has been active in organization matters for as long as I have known him, feels that he can stand a little more abuse.

Good luck, Jim! Harrison is with you!



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, FEBRUARY 18, 1933

No. 7

### CAN THE PRODUCERS EVER LEARN A LESSON?

"Modification of leases instead of disposal of theatres," says *Film Daily* of February 8, "is the keynote of the Public reorganization plan now being worked out. Company executives are convinced that the circuit in general should continue to operate in situations where their houses now figure. . ."

It seems as if the experiences Mr. Zukor went through in the last three years as a result of his company's theatre acquisition policy of former years have not taught him a lesson and is inviting similar experiences in the future.

If Paramount had not expanded in the theatre field to the extent it did since the day Sam Katz was engaged by Mr. Zukor to head the theatre department of that company, Paramount would today be in a solid financial shape, for regardless of the depression the picture-going public do go to the picture theatres when good pictures are shown in them; consequently there would be profits for Paramount pictures. With a string of theatres on its hands, bought at high prices during the prosperous period, and losing money by the hundreds of thousands during the period of depression, whatever profits the film department might have made was poured into that theatre dragon with the voracious appetite. The result you all know; and so does Mr. Zukor better than any one else.

Paramount would have made even bigger profits during the depression if its executives had not been compelled to devote most of their energies to exhibition, bringing about a deterioration of the quality of Paramount pictures. Never in its history had Paramount turned out worse quality of product as it turned out during the three picture seasons that preceded the present season.

No one will question the wisdom of Paramount in retaining its key-spot theatres. But to retain theatres in small towns, where the sentiment against big corporations, particularly foreign corporations, is decidedly hostile, it will be a serious blunder. Exhibition thieves on good will. When the big companies control exhibition, particularly in small towns, they cannot gain such will; on the contrary they will continue incurring the hostility of the masses of people. And such a feeling cannot help reacting unfavorably upon the box office receipts of the entire industry.

If Mr. Zukor should want to reestablish himself in the industry solidly he should divorce himself from exhibition entirely except for "show windows" in select key cities. He should do so not only out of prudence but also to have peace of mind. He is no longer a young man—none of us is—and a large theatre circuit on his hands would weigh him down, aging him prematurely. Let him be content with small profits so that others may have some.

### NEBRASKA AND IOWA WORKING FOR REDUCTION OF ACCESSORY PRICES

Allied Theatre Owners of Nebraska and Iowa are trying their best to induce the exchanges to lower the prices of accessories. Mr. C. L. Niles, president of the organization, has sent the following letter to them:

"In these trying times, something must be done to get reductions on paper and advertising accessory prices to independent exhibitors.

"I fully realize that most of your advertising accessory departments are now operating at a loss. However, it seems possible that by proper merger of these different departments exhibitors could be served to better advantage and you could eliminate a lot of waste, motion and activity, thereby reducing your operating expenses, making it possible to change over a loss to a profit and reduce prices to exhibitors. . . ."

There is one point on which I disagree with Mr. Niles—that the accessory and advertising departments are conducted at a loss. This may be true only in the cases where

such departments are conducted in a haphazard manner, by incompetent employees. But when they are conducted in a business-like manner they cannot help making a profit when you bear in mind that, for pictorial matter, for which they pay from five to six cents a sheet, they charge fifteen cents, and a corresponding high profit percentage for other material. I had charge of a poster and accessory department once (General Film Co., Seattle) and I know there is considerable profit.

### DO NOT WORRY ABOUT THE FATE OF BILL S. 3770

Because of the fact that Senator Vanderberg, of Michigan, objected to consideration of Bill S. 3770, the producer forces have been elated and tried to discourage the independent theatre owners so that they may relax their efforts towards it. This has prompted Mr. Myers to issue the following statement in a special bulletin:

"Exhibitors interested in Allied's legislative campaign should not be disturbed because Bill S. 3770 has several times been passed over by the Senate operating under a consent agreement. Under such agreement only uncontested private bills and necessary appropriation bills can be considered.

"Those familiar with legislative processes understand this situation and no one genuinely interested in a measure of the importance of Bill S. 3770 would be so foolish as to attempt to press it at such a time. The objection of a single Senator, who might be interested in reaching the next succeeding private and uncontested bill, could have it set aside.

"A legislative campaign requires painstaking preparation, eternal vigilance and the ability to recognize and seize opportune moments to press for action. Let no one be misled by claims that opposition to the bill is responsible for its being passed under the unanimous consent rule. The opponents of the bill will have the chance to parade their strength when there is a contest over it."

### THE MONEY "SIGN OF THE CROSS" HAS LOST BECAUSE OF THE SCENES OF SHOCKING CRUELTY

It will be difficult to estimate how much money "Sign of the Cross" has lost during the time it was roadshow in New York City and elsewhere because of the scenes of shocking cruelty and barbarism that were shown in some of the situations, particularly in the grove where the Romans had caught the Christians praying, an episode that occurs early in the film, and in the arena, which occurs in the closing scenes, where Nero and many Roman citizens are entertained by combatants fighting to death and Christians killed by animals. At the Rialto, where this picture was first shown as a roadshow picture, some women fainted; others put their hands across their eyes to shut out the dreadful views.

The scenes at the grove showed the Roman soldiers pointing their bows at the Christians and shooting their arrows at them: the arrows are seen flying and then striking the Christians, either killing them outright or wounding them mortally. The agonizing cries of the victims proved sickening.

At the arena, gladiators were shown fighting with pitchforks to death; amazons piercing dwarfs with their swords; a tiger feeding on human flesh; an elephant stepping on the head of a human being and crushing him to death, and other horrible sights.

Many of the arena scenes were eliminated after the opening day but enough were left in to cause some women, as said, to faint and others to become sick in the stomach.

A suggestion was made to Mr. DeMille to cut out more of the scenes of cruelty, but he did not accept it.

(Continued on last page)



### "What! No Beer?" with Buster Keaton and Jimmy Durante

(MGM, Feb. 10; running time, 65½ min.)

A good slapstick entertainment. Some of the situations are mirth provoking; as for instance when Keaton and Durante set out to make beer, thinking that the 18th Amendment had been repealed. They follow a recipe and soon the vat is overflowing with foam; Durante becomes almost hysterical because they are losing so much good beer. Keaton rushes to the vat with small bottles, fills them with the beer, and uses a hammer to cork them, breaking each bottle. But the next morning their dream is shattered; they find out the amendment had not been repealed—a vote had just been taken on whether the people wanted it repealed. Another funny situation is where Keaton interviews a bootlegger and amazes the man by his calm manner. Keaton did not know who the man was; as a matter of fact he did not know that Durante was making real beer instead of near beer. He contracts to sell the man one thousand barrels a day, and the man leaves thinking Keaton a master mind. Many laughs are provoked by Durante's horror when he hears about the contract. He had just wanted to make enough sales of the beer so as to gain back their investment in the brewery and he had fallen into real money.

In the development of the plot Keaton falls in love with the girl-friend of a racketeer. At first she plays up to him to gain information for her lover, but then she really falls in love with him. When Keaton discovers that Durante is making real beer he wants to leave with him, but the racketeer prevents them from doing so by forcing them to remain and make beer for him. Keaton is tipped off by the girl that the police will raid the brewery. He makes his escape and rides around town in his car advertising the fact that free beer will be given at the brewery. In a few minutes there is a mob at the brewery and all the beer is consumed. When the police arrive no evidence of beer is in sight and so they cannot arrest Durante or Keaton. Later the 18th Amendment is repealed and Keaton and Durante become wealthy brewers. Keaton and the girl are united.

The plot has been adapted from a story by Robert E. Hopkins. It was directed by Edward Sedgwick. In the cast are Rosco Ates, Phyllis Barry, John Miljan, Henry Armetta, Edward Brophy, and others.

Not suitable for children or for Sunday showing. It may cause hard feeling among the "drys" in small towns.

### "State Trooper" with Regis Toomey and Evalyn Knapp

(Columbia, Feb. 10; running time, 65 min.)

A fast-moving melodrama, holding the interest throughout. One is held in suspense because of the villain's attempts to blow up his rival's oil refinery plant, thus endangering the lives of many men, particularly the life of the hero, a state trooper who was in charge of the guards stationed at the refinery. There are many thrilling situations throughout, such as the one in which the heroine unsuspectingly drives a truck loaded with explosives, which truck had been stationed at the refinery entrance by the villain's men; as she goes down a hill she loses control of the truck and she is saved by the hero just a minute before it crashes into a wall and explodes. But the most exciting situations occur in the closing scenes, where an aviator, hired by the villain, attempts to release bombs from his aeroplane to blow up the refinery. This, too, the hero prevents by guiding the aviator to the wrong spot:—

The heroine, having been irked by the hero's insistence to give her a ticket for speeding, insists that her father, an influential oil man, have the hero removed as a state trooper. This her father accomplishes but, admiring the hero's nerve, he engages him as chief guard of his refinery plant which his rivals had threatened to blow up. On the first day the hero intercepts a plot by the foreman and a gangster to blow up the place. Eventually the foreman is killed in his own trap which he had set for the hero. He saves the heroine from death when he rescues her from a truck she was driving; she did not know it contained explosives. The hero knows that an inside man had something to do with all the plotting, but is unaware of the fact that it is his employer's secretary. This, however, he soon discovers and confronts the secretary. He is due at a party given by the heroine, who by this time had fallen in love with him, but he knows that trouble is brewing and does not leave the plant. He hears the sound of an aeroplane overhead and upon questioning the secretary learns that a plot had been formed for the aviator to drop bombs on the control house, which had a spotlight on its roof. The hero puts out the light and, handcuffing the secretary, rushes in a truck that

had an enormous searchlight attached to it some distance from the plant to an open space and turns on the light. Thus the aviator is fooled and bombs the truck instead of the plant. The secretary is arrested. The heroine, who had rushed with her father to the plant when she heard that something was wrong, joyfully greets the hero on his return.

The plot was adapted from a story by Lambert Hillyer. It was directed by D. Ross Lederman. In the cast are Barbara Weeks, Raymond Hatton, Matthew Betz, and others.

Suitable for children and for Sunday showing. (The home office running time is 68 minutes.)

### "They Just Had To Get Married" with Zasu Pitts and Slim Summerville

(Universal, Jan. 5; running time, 68 min.)

A fair comedy. A few of the situations are suggestive, such as the wedding night of the hero and the heroine when both enter the bedroom in an embarrassed manner. This situation is long drawn out and becomes rather tiresome in its efforts to be funny. The most comical situation is the one in which they go horseback riding; they are unable to control the horses who go racing and jumping over fences. The "Strange Interlude" effect of having the character's thoughts spoken out loud is used effectively for comedy situations. Sympathy is felt for both the hero and the heroine since they both seem so helpless. All the action, however, could have been shown in two reels:—

The hero and the heroine, servants in the home of a millionaire, are left his entire fortune upon his death. They marry and prepare to enter society. Their next door neighbor, a beautiful woman, sets out to vamp the hero. The heroine finds out about this and, refusing to listen to the hero's explanations, tells him to leave her; he does. Having squandered most of his inheritance he takes a position as waiter in a cabaret. The heroine, regretting her haste in sending him away, finds out about his employment and goes to the cabaret. They are about to become reconciled when again she finds him in a compromising position with the vampire neighbor. He had innocently tried to prevent the woman from committing suicide and the heroine found him with the woman in his arms. Their lawyer suggests divorce but when the heroine hears that the hero would have to compromise himself with another woman she refuses and they are reconciled.

The plot has been adapted from a story by Cyril Harcourt. It was directed by Edward Ludwig. In the cast are Roland Young, Verree Teasdale, Fifi D'Orsay, C. Aubrey Smith, David Landau, and others.

Not suitable for children or for Sunday showing.

### "Strange Adventure" with Regis Toomey and June Clyde

(Monogram, Nov. 25; running time, 60 min.)

An ordinary program murder-melodrama; it moves rather slowly, and the plot is not logical at all times. The spookiness is brought about by one of the characters' sneaking around the premises in a hooded outfit; but it seems so implausible for a house full of people not to have seen him that the audience, at the theatre where I reviewed the picture, greeted his appearance with laughs each time. There is naturally some suspense since the identity of the murderer is not made known until the very end. The closing scenes are fairly exciting. Comedy is brought about by a frightened negro servant, and romance is supplied by the hero, a detective, and the heroine, a newspaper reporter:—

In the presence of two policemen, and of several relatives who had gathered at the request of an eccentric millionaire, this millionaire is murdered. The hero is called in to solve the case and he is assisted by his sweetheart, a newspaper reporter. Soon one of the relatives is found murdered. By piecing together certain bits of information the hero proves that the young doctor who had attended the millionaire was the man's son, and that he had murdered his father because of his cruelty to his mother, the millionaire's housekeeper. The murder had been committed, when the millionaire fainted and the doctor had bent down to feel his heart. While doing this he had stabbed him without anyone's seeing it. The hero also proves that the relative had been killed by another man who wanted to get rid of all the heirs so as to inherit the money for himself. The heroine telephones the story to her paper, asking them to give all credit to the hero. She then tells the hero that she loves him.

The plot was adapted from a story by Arthur Hoerl. It was directed by Phil Whitman. In the cast are William V. Mong, Lucille LaVerne, Jason Robards, Eddie Phillips, and others.

Not suitable for children or for Sunday showing.



**"Topaze" with John Barrymore***(RKO, Feb. 24; running time, 77 min.)*

Handsomely produced and magnificently acted by John Barrymore, "Topaze" is an excellent entertainment. It is an ironic comedy-drama, presenting a theme that is not altogether pleasant. As a matter of fact, it is rather demoralizing, since it succeeds in proving that honesty is not the best policy. This is brought about by the fact that Mr. Barrymore is a complete failure when he adheres to his high ideals; when he stoops to dishonesty, however, he wins the things he had coveted most but had never been able to acquire. Some of the situations are mirthful; as for instance in the classroom, where Barrymore, while attempting to teach his pupils idealism, is rudely interrupted by Sidney Searle, the spoiled son of a Baron, who operated an annoying musical instrument, which he kept hidden in his desk. Several situations are both dramatic and pitiful, such as Barrymore's dismissal from the school; his discovery that he had endorsed an impure beverage; and his return to the classroom as a famous scientist, when he, with tears in his eyes, tells the boys that what he had formerly taught them was not the truth. Barrymore's gradual change from a naive professor to a man of the world is something worth seeing.

In the development of the plot Mr. Barrymore is shown being dismissed from the school because he had refused to give good marks to the Baron's stupid son. At the home of the Baron's mistress, where he had called for an interview to be engaged as tutor to her nephew, he meets the Baron. Needing an unsuspecting scientist to endorse his impure mineral water, he engages Barrymore at a high salary. One day the truth is brought to Barrymore's attention and he is overcome with grief. Instead of suffering arrest for his false endorsement, he is decorated by the Government for his work as a scientist. This is brought about by the Baron's influence. He is now famous. He soon realizes that honesty does not pay and determines to become as great a scoundrel as the Baron. He obtains good clothes, shaves his beard and emerges as a well-groomed man of the world. The Baron's mistress switches her affections from the Baron to Barrymore. Barrymore then demands a one-third interest in the business which the Baron is forced to grant him so as to stop him from giving him away to the Baron's wife.

The plot was adapted from the stage play by Marcel Pagnol. It was directed by H. Abbadie d'Arrast. In the excellent cast are Myrna Loy, Reginald Mason, Albert Conti, Louis Alberni, Jobyna Howland and Frank Reichert.

Because of the demoralizing nature of the theme, its suitability for children or for Sunday showing is a matter of discretion on the part of the exhibitor.

**"Child of Manhattan" with Nancy Carroll, John Boles and Buck Jones***(Columbia, Feb. 4; running time, 67½ min.)*

Ordinary entertainment. The story is thin; it depends for its comedy on the ignorance of the heroine. This becomes tiresome after a time. The most dramatic situation is the death of the heroine's child, but this is heartrending and certainly not entertaining. In addition it practically advocates living together without the bonds of matrimony. The characters do little to win the sympathy of the audience, although some pity is felt for the heroine because of her unhappiness as a result of the death of her child. Aside from the handsome settings and the good acting on the part of Nancy Carroll there is little to recommend this:—

The hero, a millionaire widower, while inspecting the respectability of a dance hall run by one of his tenants, becomes acquainted with the heroine, a dance hall hostess. He is attracted by her beauty and her bad pronunciation of words, and the two soon become lovers. When the doctor tells him the heroine is going to have a baby he marries her but asks that she keep their marriage a secret since he did not want any scandal, particularly for the sake of his grown daughter. A few days after the baby's birth it dies, and the heroine is heartbroken. Feeling that the hero had married her just because of the baby she leaves secretly and goes to Mexico for a quick divorce. He is frantic when he finds her gone and engages detectives to find her. In Mexico she meets an old friend who was madly in love with her. He begs her to marry him but she refuses. Just as the hero had given up hope of finding her he receives a call from her lawyer and is shown the divorce papers, with a provision awarding the heroine alimony of \$100,000 a year. When her lawyer returns with the signed papers she is miserable because of the money provision inserted without her knowledge. Since the alimony was to cease upon her re-marriage she accepts her former suitor's marriage proposal. On the

day set for her marriage the hero arrives in Mexico and there is a happy reunion. The suitor, realizing that the heroine still loves the hero, releases her from her promise to marry him. The hero and the heroine plan to marry again.

The plot was adapted from the play by Preston Sturges. It was directed by Eddie Buzzell. In the cast are Warburton Gamble, Clara Blandick, Jane Darwell, Tyler Brooke, Jessie Ralph, and others.

Not suitable for children or for Sunday showing.

(The home office running time is 73 minutes. The difference between this and our time is probably due to the fact that many deletions have been made by the New York censors. Our time was checked with two stop watches.)

**"Hallelujah, I'm a Bum" with Al Jolson and Madge Evans***(United Artists, Feb. 3; running time, 82 min.)*

Boresome! The story is thin, and half of the dialogue is spoken rhythmically. A good deal of the dialogue among the tramps is given over to preachments about the social system, and although this is done in a comedy strain it becomes rather tiresome:—

Jolson, a tramp, is known as the Mayor of Central Park. He has a speaking acquaintance with Frank Morgan, the Mayor of New York City, who supplies Jolson with money each time he comes to dine at the Casino restaurant and Jolson opens the door of his car. Morgan suspects his sweetheart, Madge Evans, of being unfaithful to him, and when she loses her purse containing a one-thousand dollar bill he accuses her of telling a lie to hide the fact that she was giving money to a lover. She leaves him. In the meantime Jolson had found the purse in the park and brings it to the girl's apartment. Morgan comes to the apartment and Jolson gives him the purse. It is then that Morgan realizes how unjust he had been. Jolson goes back to the park and divides one thousand dollars which the Mayor had given him among the tramps. As he is strolling along he sees Madge Evans jump into the lake. He rescues her and when she regains consciousness she cannot remember who she is. Jolson goes to work so as to earn enough to support the girl and marry her. Frank Morgan is found drunk one night and Jolson takes him home. There he sees a photograph of the girl Morgan is mourning as lost and realizes that the girl he loves is the same girl the Mayor loves. He takes Morgan to her and when Madge Evans sees Morgan she regains her memory and there is a happy reunion. She leaves with the Mayor not even remembering who Jolson is. Jolson goes back to the park, once more to reign as the Mayor of the tramps.

The plot was adapted from a story by Ben Hecht. It was directed by Lewis Milestone. In the cast are Frank Morgan, Harry Langdon, Chester Conklin, Edgar Connor, Bert Roach and others.

Suitable for children and for Sunday showing, if they can stand for it.

**"Goldie Gets Along" with Lili Damita***(RKO, Jan. 27; running time, 66 min.)*

In spite of the fact that the story is thin, it is entertaining. The laughs are brought about by the way in which Lili Damita vamps her way to success. One situation, however, is objectionable. It is where she accepts a lift in an automobile and the man makes advances. He leaves the car to telephone to hotel where he makes arrangements for a room for himself and his "wife," meaning Lili Damita. But she is wiser than he thought; she goes off in the car and leaves him stranded.

Lili Damita wants to go to Hollywood to make a name for herself, just to show her sweetheart, Charles Morton, that she is capable. Since she has no money with which to go, she joins up with Sam Hardy, who promises to get her there. He has a bathing beauty racket and her part is to enter the contest in each town, and then vamp the chief judge, promise to go to dinner with him, win the contest money, and then leave with Hardy for the next town, without having the dinner with the judge. At last she reaches Hollywood, but she is a failure. Her sweetheart follows her there, but she refuses to see him. Just as she is down to her last penny, she receives a contract from a producer. But she feels it is not worth while and when her sweetheart calls to see her she is willing to give up everything to go back home with him.

The plot was adapted from a story by Hawthorne Hurst. It was directed by Malcolm St. Clair. In the cast are Nat Pendleton, Lita Chevret, Arthur Hoyt, Henry Fink, Bradley Page, and Lee Moran.

Not suitable for children or for Sunday showing.



Before Harold Franklin opened this picture at the Music Hall, he took the print to the preview room and cut almost every one of these scenes out, leaving only enough of them to suggest the cruelty of the Romans. The result has been that the picture went over much better at the Music Hall than at the theatres where the picture was roadshown.

The eliminations of these scenes of barbarism, instead of hurting the picture, improved it, for it speeded up the action.

HARRISON'S REPORTS hopes that George Schaefer, general sales manager of Paramount, will edit all prints to conform with the editing done to the picture by Mr. Franklin.

Not only should he follow Mr. Franklin's editing, but he should go still further, by eliminating almost all the Lesbian scenes. Because of these scenes, the Catholic Press and some of the Catholic clergy have attacked it, advising Catholics not to see the picture.

In the December 17 issue of *America*, for example, Reverend Gerald B. Donnelly, S. J., says partly:

"Towards the middle of the story the film depicts a scene in which the pagan hero makes advances to the Christian girl. His effort failing, he invites his companions to help him persuade the girl and to aid him in breaking down this resistance. Assistance—of the particular kind requested—is immediately furnished him by a dancer, one Acaria, who volunteers to try the persuasive powers of what he calls the 'Dance of the Naked Moon.'"

"This dance, to which the film thereupon devotes three or four minutes, is no display of nudity; neither is it a wild and abandoned dance. Such things have been witnessed in the films before; this is something new and different. It is a sufficient description of this dance to say that it is explicitly aphrodisiac. . . . The deliberately erotic effect of the dance upon the spectators is shown in two or three camera shots that in context become the most unpleasant bits of footage ever passed by the Hollywood censors. Add to all this the almost incredible fact that the dance is not only lascivious but also clearly suggestive of perversion. . . ."

Other Catholic papers that have attacked this film are *The Southern Messenger*, which says: "The way of safety lies therefore, in putting 'Sign of the Cross' on the list of pictures which Catholics should avoid"; and *The Commonwealth*, which says: "The truth about this and every other similar production should be shouted loudly and unceasingly until this particular stench is removed from the American screen. Downright filth should take its chances honestly with the public mind, but hypocritical filth and sadism are infamies to be wiped out."

Of Catholic clergymen, the Most Reverend Joseph Schrembs, D.D., Bishop of Cleveland, speaking at the New Year's Eve service in St. John's Cathedral, said about this picture partly the following:

"Nothing was spared to dazzle the eye or stir the heart; it had a wonderful name—'The Sign of the Cross.' My! What a proud name! What a headline! Surely we might expect a beautiful and inspiring spectacle!

"But it was all damnable hypocrisy: For under that name, the 'Sign of the Cross,' which was only a subterfuge in order to trap the unwary, there was spilled out upon us all of the nastiness, all of the filth, all of the dirt the human mind and heart conceive, and a specimen of wishy-washy Christianity. . . ."

Unless Paramount removes the objectionable scenes from "Sign of the Cross," I fear that it is going to cost a great deal of money, not only to Paramount, but also to the theatres that will play it; even to such as will not play it, for any picture objected to by influential leaders of groups of people tends to discredit all pictures.

Paramount has already lost about \$200,000 because of the refusal of Mr. DeMille to re-edit the picture. The losses will be at least as great during its general release unless this recommendation is acted upon by Mr. Schaefer.

(Editor's Note: The following are excerpts taken from a speech that was made by Mr. Abram F. Myers, counsel of Allied States Association, at the annual meeting of the Federal Motion Picture Council in America, Inc., held at the Eckington Presbyterian Church, in Washington, D. C., on February 8.)

My presence on your program demonstrates that so far as the independent motion picture theatres are concerned there is no incompatibility between those whose interest in the business is primarily that of reform and those whose interest is primarily that of making money.

The independent motion picture theatre owners whom I represent can not by the farthest stretch of the imagination be called reformers and, very frankly, they are against Federal censorship of motion pictures save as a last resort

to save themselves and their patrons from a certain class of pictures being turned out by the Hollywood studios.

But based on a long experience in affording entertainment to the public they know that clean, wholesome pictures pay and that lewd and indecent pictures do not; therefore, they stand for the same things that you ladies and gentlemen do, but with this difference: You are proceeding in a purely disinterested way in accomplishing necessary reforms on the screen, while we are animated by sound business reasons.

We believe that the reforms in which you are interested can be accomplished by the abolition of block booking and blind booking as provided in Senate Bill No. 3770, without more. If this measure is enacted and it does not afford the relief which we all seek, then I am sure that the independent theatres will join in any measures you may propose, even including Federal censorship.

Therefore, we ask you for the time being to lay aside your project for a Federal Commission to regulate and censor the business and join with us in our endeavor to obtain from the Congress of the United States a law which will enable the independent motion picture theatres to choose the pictures to be shown on their screens and to relieve them from the present necessity of buying and exhibiting whatever pictures the producers see fit to force upon them.

In connection with our fight against the practice of compulsory block booking we have often been asked why we think that the theatre owners, if given a reasonable right of selection, will use any better judgment in the buying of pictures than the producers do in making them. That is a fair question and you have the right to insist that it be fully and satisfactorily answered before you abandon your own plans even temporarily and join with us in ours.

In this connection there are certain definite reasons why the producers make so many pictures that are unsuitable for the independent neighborhood and small town theatres. The main reason is that the producers themselves now control a majority of the large down-town theatres catering to the so-called sophisticated trade. These theatres, because of their high operating cost, have proved to be unprofitable and in their anxiety to fill them the producers have cast off all restraint in the making of pictures. They have lost sight of the fact that the patrons of the Broadway cathedrals of the cinema and of the small town movie houses have very little in common.

The small town or neighborhood theatre owner, if relieved from the necessity of buying and playing all the pictures of a designated producer or group of producers, will choose only those that will appeal to his class of patrons and on which he can make money. Abolition of the block booking system will give your theatre owner the most compelling of all incentives to show the kind of pictures you want to see.

In addition to that, it will give you a control over the matter that you have never heretofore enjoyed. When you complain to the owner or manager of your nearby theatre, your only point of contact with the industry, of the class of pictures being shown, he has a ready and complete alibi. He tells you that he has little or no control over what he plays, and that is the truth. Give him the right to choose the pictures that he will play and you can hold him to strict accountability.

Under Senate Bill No. 3770, which we hope with your aid to have enacted into law, the producers will be required to furnish the theatre owner with a full synopsis of all pictures offered, and will be required to sell the theatre such of those pictures as he deems suitable for his theatre without requiring that he take the entire block. Under this system the theatre owner can take his patrons into his confidence and enlist their cooperation in the selection of pictures to be played.

The plea that this will inflict an undue hardship on the producers is without merit. There is so much playing time in the theatres which must be occupied and the American producers constitute the only available source of supply. If a theatre buys less of one company's product, it must pay more of another's, so that in the long run the matter will adjust itself. If there are not enough acceptable pictures to fill out the playing time of a theatre under its present policy that policy can be changed to extend the playing time on good pictures and thus eliminate the necessity for showing the bad ones.

We believe that the theatre-going public also has an interest in our efforts to get relief from the unreasonable protection given chain theatres over independent theatres and which often results in postponing the playing of good pictures in the independent houses for several months after they have been shown in the producer-owned chains.



## HARRISON'S REPORTS

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No. 7

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3002 Bitter Tea of General Yen—Stanwyck.....	Jan. 6
3014 Air Hostess—Knapp-Murray .....	Jan. 15
3915 Man of Action—Tim McCoy .....	Jan. 20
3103 Obey the Law—Carrillo-Wilson (69 min.).....	Jan. 20
3009 Child of Manhattan—Carroll-Boles.....	Feb. 4
3106 State Trooper—Knapp-Toomey .....	Feb. 10
3816 Treason—Buck Jones .....	Feb. 10
3004 So This is Africa—Wheeler-Woolsey (67m) Feb.	24
3916 Silent Man—Tim McCoy .....	Mar. 3
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720 Central Park—Blondell-Ford-Kibbee .....	Dec. 10
717 Silver Dollar—Robinson-Daniels .....	Dec. 24
703 The Match King—William-Damita .....	Dec. 31
708 Frisco Jenny—Chatterton-Calhern .....	Jan. 14
701 20,000 Years in Sing Sing—Tracy-Davis.....	Jan. 21
711 Employees' Entrance—William-Young .....	Feb. 11
722 Blondie Johnson—Blondell-Morris .....	Feb. 25
725 Grand Slam—Lukas-Young-McHugh (67m) Mar.	18
712 The Mind Reader—William-Cummings .....	Apr. 1

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(444 W. 56th St., New York, N. Y.)

2 Tess of the Storm Country—Gaynor-Farrell...	Nov. 20
3 Call Her Savage—Bow-Todd-Young .....	Nov. 27
35 Me and My Gal (Pier 13)—Bennett-Tracy....	Dec. 4
No release set for .....	Dec. 11
No release set for .....	Dec. 18
15 Handle With Care—Mallory-Dunn-Brendel...	Dec. 25
24 Robber's Roost—George O'Brien .....	Jan. 1
12 Second Hand Wife—Eilers-Bellamy .....	Jan. 8
43 Hot Pepper—Lowe-McLaglen-Velez (reset)...	Jan. 15
32 Face In The Sky—Tracy-Erwin (73m).....	Jan. 22
No release set for .....	Jan. 27
39 Dangerously Yours—Baxter-Jordan .....	Feb. 3
17 The Infernal Machine—Morris-Tobin (re)...	Feb. 10
25 Smoke Lightning—O'Brien-O'Day (64 min.)...	Feb. 17
34 Broadway Bad—Blondell-Cortez-Rogers .....	Feb. 24
31 I Am Guilty of Love—Morgan-Kirkland .....	Mar. 3
18 Sailor's Luck—Dunn-Eilers-Jory .....	Mar. 10
41 After the Ball—Ralston-Rathbone .....	Mar. 17
40 5c A Glass—Marion Nixon .....	Mar. 24
20 Pleasure Cruise—Tobin-Foster-Young .....	Mar. 31
No release set for .....	Apr. 7

(No. 47 "State Fair" available exchange centers starting February 10; No. 48 "Cavalcade" available exchange centers about April 4.)

## KBS-Tiffany Features

(Distributed by World Wide, 1501 Broadway, New York)

3106 Tombstone Canyon—Ken Maynard .....	Dec. 25
3103 Drum Taps—Ken Maynard .....	Jan. 29
3002 Auction In Souls—Nagel-Hyams (reset) ..	Feb. 19
3107 Phantom Thunderbolt—Ken Maynard .....	Mar. 5
3018 A Study in Scarlet—(Sherlock Holmes)...	Mar. 19
3108 Lone Avenger—Ken Maynard .....	Apr. 9

## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

No release scheduled for .....	Nov. 26
No release scheduled for .....	Dec. 3
-304 Flesh (Beery No. 1)—Beery-Morley .....	Dec. 10
-350 Strange Interlude—Shearer-Gable .....	Dec. 31
No release scheduled for .....	Jan. 6
No release scheduled for .....	Jan. 13
-338 Whistling in the Dark—Truex-Merkel .....	Jan. 20
-348 The Outsider—English cast (78½ min.).....	Jan. 27
-337 The Secret of Madame Blanche—Dunne.....	Feb. 3
-326 What! No Beer?—Keaton-Durante .....	Feb. 10
-340 Men Must Fight—Stone-Wynyard-Holmes..	Feb. 17
-339 Clear All Wires—Tracy-Hume-Merkel .....	Feb. 24
-324 The White Sister—Hayes-Gable-Stone .....	Mar. 3
-312 Today We Live—Crawford-Cooper .....	Mar. 10
-321 Rivets—Gilbert-Clarke-Armstrong .....	Mar. 17
-330 Hell Below—Montgomery-Evans-Huston ..	Mar. 24

## Monogram Features

(723 Seventh Ave., New York, N. Y.)

Crashing Broadway—Rex Bell .....	Jan. 15
Jungle Bride—Page-Starrett .....	Jan. 15
West of Singapore—Betty Compson .....	Jan. 30
Oliver Twist—Moore-Pichel-Boyd .....	Mar. 1
Breed of the Border—Bob Steele .....	Mar. 10

(The release of "Black Beauty" has been temporarily withdrawn.)



## Paramount Features

(1501 Broadway, New York, N. Y.)

3228	Tonight Is Ours—Colbert-March	Jan. 13
3229	The Mysterious Rider—Taylor-Patrick	Jan. 20
3230	She Done Him Wrong—West-Grant-Beery	Jan. 27
3231	Luxury Liner—Brent-Johann-Osborne	Feb. 3
3226	The Sign of the Cross—Colbert-March	Feb. 10
3232	The Woman Accused—Carroll-Grant (72m)	Feb. 17
3232	The Crime of the Century—Hersholt-Dee- Erwin-Gibson (73½ min.) (reset)	Feb. 24
3235	From Hell to Heaven—Lombard-Oakie	Feb. 24
	A Lady's Profession—Skipworth-Young	Mar. 3
	Strictly Personal—Rambeau-Quillan	Mar. 10
	Murders in the Zoo—Ruggles-Atwill	Mar. 17

## RKO Features

(Radio City, New York, N. Y.)

31155	Goldie Gets Along—Damita-Morton	Jan. 27
31151	Lucky Devils—Boyd-Wilson-Gargan	Feb. 3
31158	Sailor Be Good—Osborne-Oakie	Feb. 10
31114	Topaze—Barrymore-Loy	Feb. 24
31139	The Great Jasper—Dix-Engels (reset)	Mar. 3
31125	Scarlet River—Tom Keene	Mar. 17
31128	Sweepings—Lionel Barrymore	Mar. 24

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

	Cynara—Ronald Colman-Kay Francis	Dec. 23
	Kid From Spain—Cantor-Roberti	Jan. 10
	Hallelujah, I'm a Bum—Jolson-Evans-Morgan	Feb. 3

## Universal Features

(730 Fifth Ave., New York, N. Y.)

A5003	Airmail—Bellamy-O'Brien	Nov. 3
A5011	Afraid To Talk (Shanghai Interlude)	Nov. 17
A5071	Flaming Guns—Tom Mix (58½ min.)	Dec. 22
A5010	The Mummy (Cagliostro)—Karloff	Dec. 22
A5017	They Just Had To Get Married—Summerville-Pitts	Jan. 5
A5004	Laughter in Hell—O'Brien-Stuart	Jan. 12
A5009	Nagana (Pagan River)—Birell (71½m) re.	Jan. 26
A5072	The Terror Trail—Tom Mix	Feb. 2
A5029	The Rome Express—foreign cast	Feb. 16
A5019	Private Jones—Tracy-Stuart-Cook	Feb. 16
A5013	Destination Unknown (S. S. San Pedro) re	Mar. 2
A5073	The Rustler's Roundup—Tom Mix	Mar. 16

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

424	Hard to Handle—Cagney-Brian	Jan. 28
358	Ladies They Talk About—Barbara Stanwyck	Feb. 4
	( <i>"Ladies They Talk About," with Barbara Stanwyck, released February 4, 1933, is a 1931-32 release.</i> )	
404	Wax Museum—Atwill-Wray-Farrell (78 m)	Feb. 18
412	King's Vacation—George Arliss	Feb. 25
415	Girl Missing—Lyon-Brian-Farrell (69 min.)	Mar. 4
403	Forty Second Street—Baxter-Daniels (89m)	Mar. 11
433	Telegraph Trail—Wayne-Day-McHugh 55m	Mar. 18
422	The Keyhole—Francis-Brent-Farrell	Mar. 25
438	Untamed Africa—Adventure special (56m)	Apr. 8

## World Wide Features

(1501 Broadway, New York, N. Y.)

3001	Hypnotized—Moran and Mack	Dec. 25
	(No. 3012 " <i>Tarnished Youth</i> " has been withdrawn.)	

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

2	Horse Sense—World of Sports	Dec. 29
6	The Wolf at the Door—Scrappys (cart) (6½m)	Dec. 29
7	Snapshots (Hollywood topics) (10½ min.)	Jan. 6
6	Wedding Bells—Krazy Kat (cart) (6½ min.)	Jan. 10
3	Throwing the Bull—World of Sport (11 min.)	Jan. 14
7	Sassy Cats—Scrappys (cart) (6½ min.)	Jan. 25
8	Snapshots (Hollywood topics) (9 min.)	Feb. 6
7	The Medicine Show—Krazy Kat (cart) (6½ m)	Feb. 7

### Columbia—Two Reels

3	Lambs All Star Gambol—Lambs' Gambol (21½ min.)	Dec. 20
3	College Gigolos—Sunrise comedy (18½ min.)	Jan. 3
4	Campus Codes—Sunrise comedy (21 min.)	Jan. 19
5	Partners Two—Sunrise comedy (22 min.)	Jan. 19
6	The Curse of a Broken Heart—Sun. com. (18m)	Feb. 4

## Educational—One Reel

(1501 Broadway, New York, N. Y.)

320909	Hollywood Diet—Terry-Toon (6 m.)	Dec. 11
321405	Down On The Farm—Hodge-Podge (10)	Dec. 18
321601	Cornell—Spirit of the Campus (9m)	Dec. 18
321104	Not Yet Titled—Battle For Life	Dec. 25
320910	Ireland Or Bust—Terry-Toon (6 min.)	Dec. 25
321406	Across America in 10 Minutes—H.-P.	Jan. 1
321505	Wild Company—Bray's Nature (10 min.)	Jan. 1
320911	Jealous Lover—Terry-Toon (6 min.)	Jan. 8
321303	Taming the Wildcat—Camera Adv. (8m)	Jan. 15
321407	The Animal Fair—Hodge-P. (10 min.)	Jan. 15
320912	Robin Hood—Terry-Toon (6 min.)	Jan. 22
321105	Not Yet Titled—Battle For Life	Jan. 22
321203	When Dad Was a Boy—Do You Remember?	Jan. 22

	(8 min.)	Jan. 22
321703	A Drug on the Market—Howard com. (11)	Jan. 22
321506	Woodland Pals—Bray's Naturegraphs	Jan. 29
320913	Hansel Und Gretel—Terry-T. (6 min.)	Feb. 5
321003	Glad Rags to Riches—Baby Burlesk (11m)	Feb. 5
321803	No. 3—Broadway Gossip	Feb. 5
321408	Skipping About the Universe—H.-P. (10)	Feb. 12
320914	The Tale of a Shirt—Terry-Toon (6m)	Feb. 19
321106	Not Yet Titled—Battle for Life	Feb. 19
321507	Not Yet Titled—Brays' Naturegraphs	Feb. 26
320915	Down On The Levee—Terry-Toon	Mar. 5
321604	Not Yet Titled—Spirit of the Campus	Mar. 5
321804	No. 4—Broadway Gossip	Mar. 5
321204	Puffs and Bustles—Do You Remember?	Mar. 12
321409	Not Yet Titled—Hodge-Podge	Mar. 12

## Educational—Two Reels

320303	Tired Feet—Mermaid com. (14 m.)	Jan. 1
320704	The Evil Eye Conquers—Hokum (14m)	Jan. 8
320805	A Brahmin's Daughter—operadrama (22m)	Jan. 8
320403	Keyhole Katie—Vanity com. (20 min.)	Jan. 15
320503	Torchy's Kitty Coup—Torch c. (21m)	Jan. 22
320105	Artist's Muddles—Clyde com. (19 min.)	Jan. 29
320201	As The Crows Fly—Moran-Mack (19m)	Feb. 5
320304	The Hitch Hiker—Langdon com. (21m)	Feb. 12
320705	On The Brink of Disaster—Great Hokum	Feb. 19
320106	Feeling Rosy—Andy Clyde comedy	Feb. 26
320202	Two Black Crows in Africa—Moran-Mack	Mar. 5
320404	Techno-Crazy—Vanity comedy	Mar. 12
320504	Torchy Turns Turtle—Torchy comedy	Mar. 19

## Fox—One Reel

25	Gorges of the Giants (9 min.)	Jan. 29
26	When in Rome—(9 min.)	Feb. 5
27	Berlin Medley—(9½ min.)	Feb. 12
28	Rhapsody of the Rails—(9½ min.)	Feb. 19
29	Taking the Cure—(9 min.)	Feb. 26
30	Down From Vesuvius—(9 min.)	Mar. 5
31	Paris on Parade—(9½ min.)	Mar. 12

## Metro-Goldwyn-Mayer—One Reel

S-744	Swing High—Sport Champ. (10 min.)	Dec. 10
T-705	Leningrad, Gateway to Soviet Russia—Fitzpatrick Traveltalks (9 min.)	Dec. 17
F-725	Funny Face—Flip the Frog (8 min.)	Dec. 24
M-766	Whisperin' Bill—Oddities (10 min.)	Dec. 31
S-745	Chalk Up—Sport Champ. (10 min.)	Jan. 7
T-706	Iceland, Land of the Vikings—Fitzpatrick Traveltalks (9 min.)	Jan. 14
F-726	Cuckoo The Magician—Flip the Frog	Jan. 21
S-749	Motorcycle Mania—Sport Champ. (9 min.)	Jan. 28
T-707	Norway, Land of Midnight Sun—Fitzpatrick Traveltalks (9 min.)	Feb. 4
S-750	Bone Crushers—Sport Champ. (8 min.)	Feb. 8
T-708	Cuba, Land of the Rhumba—Fitzpatrick Traveltalks	Feb. 25

## Metro-Goldwyn-Mayer—Two Reels

S-644	Taxi For Two—Taxi Boys com. (18 m.)	Dec. 3
C-634	Sneak Easily—Pitts-Todd com. (17m)	Dec. 10
C-624	A Lad an' a Lamp—Our Gang com. (17m)	Dec. 17
C-614	Mr. Bride—C. Chase comedy (19 min.)	Dec. 24
C-603	Towed in a Hole—Laurel-Hardy (21 min.)	Dec. 31
R-663	Hollywood Premiere—Revue (18 min.)	Jan. 7
C-645	Bring 'Em Back A Wife—Taxi Boys (20m)	Jan. 14
C-635	Asleep in the Feet—Pitts-Todd (19m)	Jan. 21
C-625	Fish Hooky—Our Gang Com. (19 min.)	Jan. 28
C-615	Fallen Arches—C. Chase com. (19 min.)	Feb. 4
C-646	Wreckety Wrecks—Taxi Boys com. (19m)	Feb. 18
C-604	Twice Two—Laurel-Hardy com. (21 min.)	Feb. 25
C-636	Not Yet Titled—Pitts-Todd comedy	Mar. 4
C-626	Forgotten Babies—Our Gang com. (17m)	Mar. 11



## Paramount—One Reel

Y2-7 Screen Souvenirs No. 7—Novelty (10 m.)...Jan. 20  
T2-10 Betty Boop's Crazy Inventions—c. (6½m)...Jan. 27  
P2-7 Paramount Pict. No. 7—(9½ min.)...Jan. 27  
Sc2-10 Ain't She Sweet—Screen song (7½ min.)...Feb. 3  
R2-7 Canine Thrills—Sports-Eye-View (9½m)...Feb. 3  
Z2-7 Hollywood on Parade No. 7 (10½ min.)...Feb. 10  
T2-11 Is My Palm Read—Betty Boop (6½ min.)...Feb. 17  
A2-8 Be Like Me—Headliner (10½ min.)...Feb. 17  
Y2-8 Screen Souvenirs No. 8—Novelty (9½m)...Feb. 17  
Sc2-11 Reaching For the Moon—Screen s. (8½)...Feb. 24  
P2-8 Paramount Pictorial No. 8—(10 min.)...Feb. 24  
R2-8 The Wonder Girl—Babe Didrickson (10½) Mar. 3  
T2-12 Betty Boop's Penthouse—cart. (7½m)...Mar. 10  
Z2-8 Hollywood on Parade No. 8—(11 min.)...Mar. 10  
Sc2-12 Aloha Oe—Screen Song (8 min.)...Mar. 17  
A2-9 Let's Dance—Burns and Allen (10½m)...Mar. 17  
Y2-9 Screen Souvenirs No. 9—Novelty...Mar. 17  
P2-9 Paramount Pictorial No. 9...Mar. 24  
T2-13 Snow White—Betty Boop cartoon...Mar. 31  
R2-9 Hot and Cold Chills—Sports-Eye-View...Mar. 31

## Paramount—Two Reels

S2-5 Blue of the Night—Bing Crosby (21½m)...Jan. 6  
M2-6 Don't Play Bridge With Your Wife—Sennett  
comedy (17½ min.)...Jan. 13  
M2-7 A Wrestler's Bride (The Wrestlers)—  
Sennett com. (21½ min.)...Jan. 20  
S2-6 The Singing Boxer—Sennett star (19½m)...Jan. 27  
M2-8 Too Many Highballs—Sennett (19½m)...Feb. 10  
M2-9 Easy on the Eyes—Sennett (21½ min.)...Feb. 17  
S2-7 The Fatal Glass of Beer—Fields com. ....Mar. 3  
M2-10 Caliente Love—Sennett...Mar. 10  
S2-8 Sing, Bing, Sing—Sennett star...Mar. 24  
M2-11 The Plumber and the Lady—Sennett ....Mar. 31

## RKO—One Reel

34503 Pathe Review No. 3 (11 min.)...Dec. 23  
34109 Bugs and Books—Fables (cart) (6½m)...Dec. 30  
34206 Tight Rope Tricks—Tom & Jerry (6½m)...Jan. 6  
34110 Silvery Moon—Fables (cart) (6 min.)...Jan. 13  
34304 Holland Mosaics—Vagabond No. 4 (9 min.)...Jan. 20  
34111 Tumbledown Town—Fables (cart) (6 min.)...Jan. 27  
34207 Magic Mummy—Tom & Jerry cart. (7m)...Feb. 3  
34112 Opening Night—Fables cart. (7½ min.)...Feb. 10  
34504 Pathe Review No. 4. ....Feb. 17  
34113 Panicky Pop—Fables (6 min.)...Feb. 24  
34208 Not Yet Titled—Tom and Jerry...Mar. 3  
34114 Loves Labor Won—Fables cart. (6½m)...Mar. 10

## RKO—Two Reels

33403 Loops My Dear—Sweet No. 3 (17 m.)...Jan. 6  
33103 Through Thin and Thicket or Who's Zoo in  
Africa—Masquers No. 3 (17½ min.)...Jan. 20  
33602 Private Wives—Headliner No. 2 (20½m)...Jan. 27  
33505 The Vagabond—Chaplin No. 5 (21 min.)...Feb. 3  
33703 Mickey's Ape Man—McGuire No. 3 (17½m.) Feb. 10  
33304 Art in the Raw—Kennedy comedy (19m)...Feb. 24  
33204 Hokus Fokus—Clark and McCullough No. 4  
(19½ min.)...Mar. 3  
33404 Heave Two—Sweet No. 4 (20 min.)...Mar. 10  
33506 Pawnshop—Chaplin No. 6...Mar. 17

## United Artists—One Reel

6 Babes in the Wood—S. Symphony (cart.) (8m). Nov. 4  
6 The Klondike Kid—M. Mouse (cart) (7m)...Nov. 18  
7 Santa's Work Shop—S. Symphony (car) (7m). Dec. 2  
7 Mickey's Good Deed—M. Mouse (cart) (8m)...Dec. 9  
8 Building a Building—M. Mouse (cart) (7m). Dec. 30  
9 The Mad Doctor—M. Mouse (cart) (6m)...Jan. 20  
10 Mickey's Pal Pluto—M. Mouse (cart)...Feb. 10  
11 The Mellerdrummer—M. Mouse (cartoon)...Mar. 3

## Universal—One Reel

A4506 Boo—Novelty (9½ min.)...Dec. 26  
A5306 The Merry Dog—Pooch cart. (8 min.)...Jan. 2  
A4507 Lizzi Strata—Novelty (10 min.)...Jan. 23  
A5205 Strange As It Seems No. 26 (8½m) (re). Jan. 23  
A5405 Oswald, the Plumber—Oswald cart. (7m) re Jan. 30  
A5307 The Terrible Toubador—Pooch c. (re)...Feb. 13  
A5206 Strange As It Seems No. 27...Feb. 20  
A5406 The Shreik—Oswald cartoon...Feb. 27  
A5308 The Lumber Champ—Pooch cartoon...Mar. 13  
(In the January 7 Index A5938 "I Know Everybody and  
Everybody's Racket" was listed under the One Reel  
schedule. It is a two reeler and is now listed as such.)

## Universal—Two Reels

A5110 My Operation—Barnett-Clyde c. (21m)...Dec. 28  
A5705 The Lightning Strikes—Lost Special No. 5  
(18½ min.)...Jan. 2  
A5706 House of Mystery—Lost Sp. No. 6 (21½m)...Jan. 9  
A5111 Family Troubles—Armetta c. (21½m)...Jan. 11  
A5707 The Tank-Room Terror—L. S. No. 7 20½ Jan. 16  
A5947 Married Or Single—Kenny Radio R. (21) Jan. 16  
A5708 The Fatal Race—Lost Spec. No. 8 (17½m)...Jan. 23  
A5113 Rockabye Cowboy—Gleason com. (21 min.)...Jan. 25  
A5938 I Know Everybody and Everybody's Racket—  
Walter Winchell—Radio Reel (21m) Jan. 30  
A5709 Into The Depths—Lost Spec. No. 9 (19m)...Jan. 30  
A5710 The Jaws of Death—Lost Spec. No. 10 (18) Feb. 6  
A5112 Hunting Trouble—Fazenda com. (20m)...Feb. 8  
A5933 The Hold Up—Downey Radio Reel (20½)...Feb. 13  
A5711 The Flaming Forest—Lost Spec. No. 11 18 Feb. 13  
A5712 Retribution—Lost Spec. No. 12 (18m)...Feb. 20  
A5114 Should Crooners Marry—Albertson comedy  
(20½ min.)...Feb. 22  
A5901 Toll of the Rapids—Clancy of the Mounted  
No. 1 (20 min.)...Feb. 27  
A5902 Brother Against Brother—Clancy No. 2 19 Mar. 6  
A5115 Alias the Professor—Gleason com. (21m) Mar. 8  
A5903 Ambuscade—Clancy No. 3 (19½ min.)...Mar. 13  
A5904 The Storm—Clancy No. 4...Mar. 20  
A5116 The Trial of Vince Barnett—comedy...Mar. 22

## Vitaphone—One Reel

6803 A Great Big Bunch of You—Merrie Mel.  
(7 min.)...Nov. 12  
6906 Rambling Around Radio Row No. 2—Pepper  
Pot (9 min.)...Nov. 19  
6703 Bosko's Dizzy Date—Looney Tunes (7m)...Nov. 19  
6604 Curious Customs—Newman Ad. (10m)...Nov. 26  
7003 Small's Paradise Band—Melody Mast. (9m)...Nov. 26  
7004 Roger Wolf Kahn—Melody Mast. (9m)...Nov. 29  
6907 Babe o' Mine—Pepper Pot (9 min.)...Dec. 3  
6504 Sport Thrills No. 4 (9 min.)...Dec. 3  
6804 Three's A Crowd—Mer. Melodies (7m)...Dec. 10  
6908 Dangerous Occupations—Pepper Pot (10m)...Dec. 17  
6704 Bosko's Woodland Daze—Looney Tunes (7) Dec. 17  
7005 Willie Creager—Mel. Master (10 min.)...Dec. 24  
6605 From Bethlehem to Jerusalem—Newman World  
Adventures (9 min.)...Dec. 24  
6909 Out of the Past—Pepper Pot (9 min.)...Dec. 31  
6805 Shanty Where Santa Claus Lives—Merrie  
Melodies (7 min.)...Jan. 7  
6705 Bosko in the Ditch—Looney Tunes (7m)...Jan. 14  
6910 Love Thy Neighbor—Pepper Pot com. (9m)...Jan. 14  
7006 The Continentals—Melody Mast. (10m)...Jan. 21  
6606 High Spots of Far East—Newman adv. (10) Jan. 21  
6505 Moose and Elk Hunting—Sport (8 min.)...Jan. 21  
6911 Rambling Around Radio Row No. 3 (9m)...Jan. 28  
6806 One Step Ahead of My Shadow—Merrie  
Melodies (7 min.)...Feb. 4  
6912 A Whale of a Yarn—Pepper Pot (8 min.)...Feb. 11  
6706 Bosko in Person—Looney Tunes (7 min.)...Feb. 11  
6506 Fishing Thrills—Sport Thrills...Feb. 18  
6607 Main Streets of World—World adventure...Feb. 18  
7007 Abe Lyman and Band—Melody Mast. (10)...Feb. 18  
6913 Africa Speaks English—Pepper Pot (10)...Feb. 25  
6807 Young and Healthy—Merrie Mel. (7 min.)...Mar. 4  
6914 Rambling Around Radio Row No. 4 (10m)...Mar. 11  
6607 Bosko the Speed King—Looney Tunes (7m)...Mar. 11  
6608 Beauty Spots of the World—World ad. (10) Mar. 18  
7008 How's Tricks—Melody Master (10m)...Mar. 18

## Vitaphone—Two Reels

7206 The Run Around—Demarest com. (17m)...Dec. 10  
7109 Poor Little Rich Boy (Bad Boy)—Phil Baker—  
Bway. Brevities (18 min.)...Dec. 31  
7110 Hey Hey Westerner—Bway. Brev. (17) (re). Dec. 31  
7207 Trouble Indemnity—Big "V" com. (17m)...Jan. 7  
7112 Bygones—Broadway Brevities (18 min.)...Jan. 14  
7208 The Build Up—Jack Haley com. (17 min.)...Jan. 21  
7115 Speaking of Operations—Bway. Brev. (18)...Jan. 28  
7209 Buzzing Around—Big "V" com. ....Feb. 4  
7113 Pleasure Island—Bway. Brev. (18 min.)...Feb. 25  
7210 Wrongorilla—Big "V" comedy (20 min.)...Mar. 4  
7114 Yours Sincerely—Bway. Brev. (19 min.)...Mar. 11  
7211 Fatty Arbuckle—Big "V" com. ....Mar. 18  
7117 Nothing Ever Happens—Bway Brevities...Mar. 25  
7116 Northern Exposure—Bway. Brev. (16m)...Apr. 8  
(No. 7108 listed in the January 7 Index under the title  
"Moonbeams" has been changed to "Sky Symphony" and  
the release date has been changed from Dec. 17 to June 3.)



# RELEASE DAY CHART FOR ALL NEWS WEEKLIES

	Pathe News		Universal News		Fox News		Paramount News		Metrotone News	
	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.
Albany .....	Fri. 0	Tues. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Atlanta .....	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1
Boston .....	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Wed. 0
Buffalo .....	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 0	Wed. 0
Butte .....	—	—	Tues. 3	Sat. 3	—	—	—	—	Wed. 4	Sat. 3
Charleston .....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Charlotte .....	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Cincinnati .....	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Cleveland .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Columbus .....	—	—	—	—	—	—	Sun. 1	Wed. 0	Sat. 0	Wed. 0
Dallas .....	Sun. 1	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Denver .....	Thur. 5	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Sun. 1	Fri. 2	Wed. 4	Sat. 3
Des Moines .....	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit .....	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
El Paso .....	—	—	—	—	—	—	—	—	—	—
Indianapolis .....	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Jacksonville .....	Mon. 2	Thur. 1	—	—	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City .....	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles .....	Fri. 6	Tues. 6	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis .....	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Minneapolis .....	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
New Haven .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
New Orleans .....	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Tues. 3	Sat. 3	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New York .....	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City .....	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Omaha .....	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Peoria .....	—	—	—	—	—	—	—	—	—	—
Philadelphia .....	Fri. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Pittsburgh .....	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Portland, Ore. ....	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Portland, Me. ....	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis .....	Sun. 1	Fri. 2	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Salt Lake City .....	Wed. 4	Sun. 4	Thur. 5	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
San Antonio .....	—	—	Wed. 4	Sat. 3	—	—	Sun. 1	Thur. 1	Wed. 4	Sat. 3
San Francisco .....	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Seattle .....	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Fri. 2	Wed. 4	Sat. 3
Sioux Falls .....	Sun. 1	Wed. 0	Wed. 4	Sun. 4	—	—	Sun. 1	Fri. 2	—	—
Washington .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Wichita, Kans. ....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes-Barre .....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Calgary .....	—	—	—	—	Fri. 6	Tues. 6	A combination of both issues is sent on Tuesdays to Toronto which distributes it to the other Canadian exchanges.		—	—
Montreal .....	—	—	Sun. 1	—	Mon. 2	Fri. 2			—	—
St. John .....	—	—	—	—	Mon. 2	Fri. 2			—	—
Toronto .....	—	—	—	—	Mon. 2	Fri. 2			—	—
Vancouver .....	—	—	—	—	Thur. 5	Tues. 6			—	—
Winnipeg .....	—	—	Thur. 5	Mon. 5	Tues. 3	Sun. 4			—	—

## NEWSWEEKLY NEW YORK RELEASE DATES

### Universal News

115	Wednesday	..Feb. 1
116	Saturday	....Feb. 4
117	Wednesday	....Feb. 8
118	Saturday	....Feb. 11
119	Wednesday	....Feb. 15
120	Saturday	....Feb. 18
121	Wednesday	....Feb. 22
122	Saturday	....Feb. 25
123	Wednesday	....Mar. 1
124	Saturday	....Mar. 4
125	Wednesday	....Mar. 8
126	Saturday	....Mar. 11
127	Wednesday	....Mar. 15
128	Saturday	....Mar. 18
129	Wednesday	....Mar. 22

### Pathe News

35227	Wed. (E.)	..Feb. 1
35128	Sat. (O.)	....Feb. 4
35228	Wed. (E.)	....Feb. 8
35129	Sat. (O.)	....Feb. 11
35229	Wed. (E.)	....Feb. 15
35130	Sat. (O.)	....Feb. 18
35230	Wed. (E.)	....Feb. 22
35131	Sat. (O.)	....Feb. 25
35231	Wed. (E.)	....Mar. 1
35132	Sat. (O.)	....Mar. 4
35232	Wed. (E.)	....Mar. 8
35133	Sat. (O.)	....Mar. 11
35233	Wed. (E.)	....Mar. 15
35134	Sat. (O.)	....Mar. 18
35234	Wed. (E.)	....Mar. 22

### Fox Movietone

39	Wednesday	....Feb. 1
40	Saturday	....Feb. 4
41	Wednesday	....Feb. 8
42	Saturday	....Feb. 11
43	Wednesday	....Feb. 15
44	Saturday	....Feb. 18
45	Wednesday	....Feb. 22
46	Saturday	....Feb. 25
47	Wednesday	....Mar. 1
48	Saturday	....Mar. 4
49	Wednesday	....Mar. 8
50	Saturday	....Mar. 11
51	Wednesday	....Mar. 15
52	Saturday	....Mar. 18
53	Wednesday	....Mar. 22

### Paramount News

53	Saturday	....Feb. 4
54	Wednesday	....Feb. 8
55	Saturday	....Feb. 11
56	Wednesday	....Feb. 15
57	Saturday	....Feb. 18
58	Wednesday	....Feb. 22
59	Saturday	....Feb. 25
60	Wednesday	....Mar. 1
61	Saturday	....Mar. 4
62	Wednesday	....Mar. 8
63	Saturday	....Mar. 11
64	Wednesday	....Mar. 15
65	Saturday	....Mar. 18
66	Wednesday	....Mar. 22

### Metrotone News

238	Saturday	....Feb. 4
239	Wednesday	....Feb. 8
240	Saturday	....Feb. 11
241	Wednesday	....Feb. 15
242	Saturday	....Feb. 18
243	Wednesday	....Feb. 22
244	Saturday	....Feb. 25
245	Wednesday	....Mar. 1
246	Saturday	....Mar. 4
247	Wednesday	....Mar. 8
248	Saturday	....Mar. 11
249	Wednesday	....Mar. 15
250	Saturday	....Mar. 18
251	Wednesday	....Mar. 22

## HOW THE AGE OF A PARTICULAR NEWSWEEKLY ISSUE MAY BE COMPUTED

Suppose you desire to find out whether the exchange delivers your newswweeklies at the age you contracted for!

First look at the Release Day Chart under the column of the company whose weeklies you show. You will notice that there are little numbers by the side of the days. The meaning of these numbers is as follows:

Newswweeklies are released by all the companies in New York on Saturdays and on Wednesdays. The issue of any company is one day old in New York on the day of its release, whether such day is Saturday or Wednesday.

But it takes time for a print to reach another zone. To reach Dallas, for example, it takes 4 or 3 days by train. Naturally you cannot consider a Newswweekely one day old on the day of its release in New York when it reaches that zone four days later. The practice of each company has been to consider a Newswweekely one day old on the day of its arrival and release in a particular zone. The little number by the side of each day in the Chart indicates how many days later than the New York Release Date a particular issue may be considered one-day old in a particular zone.

Suppose you desire to find out how old is a Saturday release of the Universal News in Portland, Oregon. Look in the Saturday Column of the Universal News in the Release Day Chart; run down the column until you reach the

line opposite Portland. The day given is Wednesday, and the figure is "4." Accordingly, the Saturday issue of the Universal News, which is one day old in the New York zone on that day, is one day old in Portland on Wednesday; that is, four days later.

Universal News No. 128 will be released in the New York zone on Saturday, March 18, and in Atlanta, Charlotte, Kansas City, Memphis, Minneapolis, New Orleans, Omaha, and Pittsburgh two days later, that is, on Monday, March 20, on which day it will be one-day old.

Pathe News No. 35234, which is an Even issue, will be released in the New York zone on Wednesday, March 22, and in the Dallas, Denver, New Orleans, and St. Louis zones two days later, that is, on Friday, March 24, on which day it will be one-day old.

Fox Movietone News No. 52 will be released in New York on Saturday, March 18, and in the Dallas, Denver, New Orleans, and Winnipeg zones three days later, that is, on Tuesday, March 21, on which day it will be one-day old.

Paramount News No. 66 will be released in the New York Zone on Wednesday, March 22, and in the Denver, Seattle, and Sioux Falls zones two days later.

Metrotone News No. 248 will be released in the New York zone Saturday, March 11, and in the Butte, Dallas, Denver, Los Angeles, Salt Lake City, San Antonio, San Francisco, and Seattle zones four days later.



# HARRISON'S REPORTS

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Devoted Chiefly to the Interests of the Exhibitors

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Columns, if It is to Benefit the Exhibitor.

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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SATURDAY, FEBRUARY 25, 1933

No. 8

### HAYS' COMMUNITY PICTURE SELECTION

An article by Cary E. Milliken, printed in the "Your Theatre" section of *The Exhibitor*, the Jay Emanuel publication, explains the system the Hays organization has instituted, by which volunteer committees in neighborhoods and small towns co-operate with the exhibitors in selecting certain programs which are boosted, thus bringing additional receipts to the box office for such pictures.

"In more than 2,500 neighborhoods," says the article partly, "the question of 'How to get the best movies in our town?' has been satisfactorily solved. As a natural result of this increased patronage for the highest type pictures, the industry has been enabled steadily to increase the percentage of good films which have a definite social value. No longer is it likely, as it used to be, that such fine pictures as 'Abraham Lincoln,' 'Disraeli,' or 'Broken Lullaby' will fail.

"Two factors have contributed to increasing community satisfaction with picture entertainment and to consistent improvement in the quality of pictures.

"The first of the two important developments has been the extension and emphatic success of the preview system initiated some years ago as part of the work of Will H. Hays in securing closer contact between the industry and responsible public opinion. Volunteer committees of 11 national groups, civic in character and wholly disinterested in motive, now preview all pictures in Hollywood before general release. The reports of these preview committees go direct from the volunteer previewers to the national headquarters of their constituencies and thence are made available throughout the country to their local groups. Thus it is possible for any minister, any parent, any teacher, to secure unbiased and thoughtful criticisms of pictures before the pictures are booked in a given locality.

"The second development has been the demonstrated willingness of exhibitors to work in co-operation with local community leadership and of local community leadership to accept its responsibility for the guidance of community taste. In the 2,500 neighborhoods where the experiment has now ceased to be an experiment, local Better Picture Councils sit down with the local theatre manager or owner and select the picture for which they are willing to help enlist audience support. This means that the exhibitor can book pictures with a definite social value. . . ."

The viciousness of this article lies not in what it says but in the inferences that will be drawn by those of laymen who will read it, unless they are familiar with the prevailing picture selling system. And few of them are.

Since these good pictures are selected on particular nights by volunteer local committees from information furnished them by national volunteer previewing committees, the reader will get the impression that, if such committees were non-existent, those of picture-goers who seek clean and wholesome entertainment would not be able to find it, thus subtly throwing the blame for the production of dirty pictures on the exhibitors; also that the national volunteer committees in Hollywood exert some sort of influence on the producers of pictures toward cleaner pictures.

Just to show you how effective can local committees be in keeping their local theatre open by boosting the meritorious pictures, let me call your attention to the following facts:

During January there were released by the eight major producer-distributors twenty-nine pictures. Out of these I reviewed 24 (five of those that I failed to review were westerns).

Out of these twenty-four pictures, twenty-one either were founded on a sex theme or had sex talk or action dragged into them by the ear, two of them were free of sex but were horror pictures, and only one free of sex, but it has other demoralizing features.

The twenty-four were the following: "Bitter Tea," "Air Hostess," "Frisco Jenny," "Twenty Thousand Years," "Second-Hand Wife," "Hot Pepper," "Face in the Sky," "Whistling in the Dark," "The Billion Dollar Scandal," "Tonight is Ours," "She Done Him Wrong," "Farewell to Arms," "No Other Woman," "Goldie Gets Along," "Kid From Spain," "They Just Had to Get Married," "Nangana," "Laughter in Hell," "Lawyer Man," "The Parachute Jumper," and "Hard to Handle." The sex element in some of them is not vicious, but it is there just the same, making some of them unsuitable for family nights in some communities.

The two that were of the horror class or in some way unpleasant are the following: "The Monkey's Paw," and "The Past of Mary Holmes."

The one that was free of the sex element is "Obey the Law," Columbia; but it is cursed with gangsterism and crooked politics.

I ask Mr. Milliken to point out which ones of these pictures he would select for the "Special Night."

How can the information that is passed by the national volunteer previewing committees to the local cooperation committees be of any benefit to the small town and to the neighborhood exhibitor in choosing family programs for family nights when such a condition exists?

The Hays organization kidded churches for a long time. It even went so far as to subsidize cer-

(Continued on last page)



### **"Nagana" with Melvyn Douglas and Tala Birell**

(Universal, Jan. 26; running time, 71 min.)

Mediocre! The only thing to recommend this is a fight between some wild animals; otherwise it is conducive to sleep, for the action is slow, and the story is hardly interesting to the masses, since it dwells on scientific research work being done by the hero to find a cure for sleeping sickness. The hero is constantly seen with a hypodermic in his hand ready to inject it into either some person or animal. This, coupled with the unwholesome atmosphere of germs and disease, is unpleasant. Audiences will find some of the situations ridiculous, such as the one in which the hero is shown standing and ringing a bell of warning in the midst of raging wild animals—not one animal comes near him; also the closing scenes, where he and the heroine are surrounded by savage natives and wild animals from which they presumably escape with ease. The heroine is an unsympathetic character.

In the development of the plot the hero, a doctor in Africa, goes to the heroine's home to induce his assistant doctor to return to his post which he had deserted to see the heroine again. He sends the assistant doctor on alone to his hut and he remains all night with the heroine. When he returns to his hut the following morning he finds his assistant dead, a suicide. Remorseful, he decides to carry on the work himself, and tells the heroine he is through with her. Together with another assistant, he goes to the village where sleeping sickness is prevalent. The king's son is skeptical but promises to give his help. The heroine follows him there and is held by the natives as a witch. At the request of the hero she is released. His assistant, a Japanese, is soon stricken and dies. Just when he makes a discovery the king dies from the disease and the heroine is taken to be fed to the crocodiles. The hero risks his life to prove to the son, now king, that he had discovered a cure for the disease. But the infuriated villagers will not listen to reason. The hero releases the wild animals from the cages in which he had kept them for experimental purposes, thus scaring the villagers away. He escapes with the heroine and they return to his institute together.

The plot was adapted from a story by Lester Cohen. It was directed by Ernst L. Frank. In the cast are M. Morita, Onslow Stevens, Everett Brown, and others.

Children will not understand the situation in which the hero remains with the heroine; not suitable for adolescents or for Sunday showing.

Substitution Facts: This is replacing 5009 listed on the contract as "Pagan River," by Wong Wellesley. It is a story substitution.

### **"Obey the Law" with Leo Carrillo and Lois Wilson**

(Columbia, Jan. 20; running time, 68 min.)

A fair program picture; it has human interest, comedy and some suspense. The gangster element is brought into the story, also crooked politicians, but they are not made heroes; instead, they are shown as being contemptible and yellow. One depressing situation is where a man kills himself because the leader politician takes away his place of business. Leo Carrillo gives a good performance, as usual, and in many situations he provokes laughter by mispronouncing words. Sympathy is felt for him throughout, particularly in the closing scenes where he endangers his life to see that justice is done:—

Carrillo, an Italian barber, is a proud man the day he is made a U. S. citizen. One night Eddie Garr attempts to rob him in his barber shop but Carrillo, instead of resenting it, interrogates him to find out the cause of his having gone bad. He finds out that Garr is out of work. Carrillo feels sorry for him, gives him some money, buys food and goes to Garr's home where he lives with his widowed sister, Lois Wilson, and her child, Dickie Moore. He procures a position for Garr and becomes a good friend of the family. One day while Carrillo and Garr are attempting to induce a young boy to leave a gambling resort Garr is shot and killed. Regardless of threats, Carrillo identifies the murderer and he is shot for it by the gangsters; but he recovers. He then takes care of Lois Wilson and her child. The district leader, a crooked politician, knowing of Carrillo's influence with the people in the neighborhood, becomes friendly and leads Carrillo to believe that he is an honest man. Some time later Carrillo finds out about the crookedness of this politician, and despite the threats of this man he talks over the radio, exposing the politician.

The leader is arrested just as he was aiming his gun at Carrillo. Carrillo and Lois Wilson are united.

The plot was adapted from a story by Harry Sauber. It was directed by Benjamin Stoloff. In the cast are Henry Clive, Gino Corrado and Ward Bond.

Suitable for children and for Sunday showing.

### **"Broadway Bad" with Joan Blondell and Ricardo Cortez**

(Fox, Feb. 24; running time, 58 min.)

Fairly entertaining. Although the plot is a familiar one, the action is fast, and the interest is held because of the sympathy one feels for the heroine. Suspense is sustained fairly well throughout; the closing scenes are the most exciting, because of the fact that the heroine is in danger of having her child taken from her:—

The heroine, a chorus girl, marries the son of a prominent family. The hero, wealthy backer of the show, a broker by profession, is in love with her and she innocently accepts checks in large amounts which he tells her are dividends on bonds he was holding for her. Her husband finds out about the checks and accusing her of being unfaithful, divorces her. The hero goes to Europe. This determines the heroine to get what she can from the world, and profiting by the publicity of the divorce case she becomes a star. She acquires a reputation for being heartless, her sole desire being to acquire as much jewelry as possible from her suitors, which she converts into cash so as to provide herself with enough money to retire. She has a child, a fact nobody knows about, and spends every week-end with him. The hero returns from Europe and they meet, soon falling in love. The heroine's divorced husband, having been disowned by his father and desperately in need of money, attempts to blackmail the heroine. He finds out about the child and brings an action for its custody. At the trial the heroine is accused of being unfit, and realizing that the child will be taken from her she denies that her former husband is the father. When the court asks for the name of the father the hero nods to her and she gives his name. She thus obtains custody of the child and is united with the hero.

The plot was adapted from a story by Wm. R. Lipman and A. W. Pezet. It was directed by Sidney Lanfield. In the cast are Ginger Rogers, Allen Vincent, Adrienne Ames, and others.

Several suggestive remarks are made but it is doubtful if children will understand them; unsuitable for adolescents or for Sunday showing.

### **"Private Jones" with Lee Tracy, Donald Cook and Gloria Stuart**

(Universal, Feb. 16; running time, 84 min.)

This starts out as an intelligent and human story, and then turns into an unpleasant picture. The objectionable behavior of Lee Tracy is the cause. Much sympathy is felt for him at first, particularly when his mother dies as a direct result of his being drafted into the army. But later he becomes obnoxious by picking quarrels with people, and behaving in a boorish manner, particularly in the situations where he and Donald Cook are captured as prisoners by the Germans. A love interest between Donald Cook and Gloria Stuart is brought in. Comedy is brought about by Frank McHugh as the cook of the regiment:—

Lee Tracy, an American, does not want to go to the war in France. He is forced to go and when he is taken away his mother dies from the shock. This makes him bitter. Once in France he becomes interested in Gloria Stuart, a worker in the canteen, but finds out that she is married to Donald Cook, his superior officer whom he detests. When the regiment sets out for the front he promises Gloria that he will look after Cook. Cook, Tracy, and a few other soldiers become separated from their regiment. Cook and Tracy decide to look around and see where they are. They are captured by the Germans. The Germans leave them in the trenches and set out to attack the American regiment. They knock out the guard, and when there is a gas attack Tracy puts his gas mask on Cook. They are rescued, and once back with his regiment after having been decorated, Tracy is again seen doing kitchen duty because of his fighting with other soldiers.

The plot was adapted from a story by Richard Schayer. It was directed by Russell Mack. In the cast are Emma Dunn, Shirley Grey, Frank McHugh and others.

Because of the fact that the hero's sister is shown having an affair with her employer, it is hardly suitable for children, for adolescents, or for Sunday showing.



### **"The Mystery of the Wax Museum" with Lionel Atwill and Fay Wray**

(Warner Bros., Feb. 18; running time, 78 min.)

From an artistic point of view, "The Mystery of the Wax Museum" is all that one may desire. The few breaks in the continuity cannot take it out of this class, for these help enhance somewhat the mystery, thus making the suspense tenser. But it is not an entertainment, for it is one of those horror melodramas that make you sick in the stomach after you see a reel or so of it. In this instance, the sickening effect is still stronger, for the action revolves mostly around dead bodies: a scientist is shown stealing these bodies from the mortuary and preserving them in wax. Even if one could stand the sight of the "stiffs" in the early part of the picture, one is bound to become squeamish by the hideous face of the mad scientist, particularly at the moment when the wax, the heroine having struck him in the face in self defense, falls off, revealing the hideous features of his face, the result of an accident in a fire: it is more than a normal person can endure. The situation where the mad scientist is shown about to cover the heroine with melted wax and the hero, in company of a girl reporter, rushes to her rescue, should take one's breath away.

The plot was taken from a story by Charles S. Belden. It was directed by Michael Curtiz. Glenda Farrell, Frank McHugh, Allen Vincent, Gavin Gordon, Edwin Maxwell and others are in the supporting cast.

Not suitable for children or adolescents; its appropriateness for Sunday showing is a matter of individual choice. Those who will show it, on any day, however, should warn expectant mothers to keep away from it.

### **"So This is Africa" with Wheeler and Woolsey**

(Columbia, February 24; running time, 65 min.)

For vulgarity, coarseness and filth the screen has not seen the equal of this for a long time. What makes matters worse is the fact that these two players have heretofore appeared in farce-comedies that were more or less clean, and people may think that this one, too, is of the same style. It is true that there were dirty remarks of some sort in all the pictures in which they have appeared, but such remarks were put over subtly and the harm done was nothing to speak of. In this picture, however, Columbia has cast off almost all restraint, making the double-meaning expressions so clear that even ten year old children will understand them. The height of vulgarity is reached when Wheeler is shown dressed as a girl, Woolsey being compelled to make love to him so as to make the tribal chief believe that he was a woman and thus they might escape death.

The story is supposed to unfold in Africa and shows Wheeler and Woolsey going through experiences with African savages and their women; also with wild animals. They are held prisoners and a year afterwards they are shown attending to household duties and caring for the babies.

The plot was taken from a story by Norman Krasna. It was directed by Edward F. Cline. In the cast are Raquel Torres, Burton Churchill, Spencer Charters and others.

Not suitable for children or for Sunday showing.

### **"Face In The Sky" with Marian Nixon, Spencer Tracy and Stuart Erwin**

(Fox, Jan. 22; running time, 71½ min.)

The good acting by Spencer Tracy and Stuart Erwin makes this picture fairly entertaining, for the story is thin and of the sentimental type. The action is slow, and the closing scenes are a bit fantastic. Sympathy is felt for Marian Nixon, the heroine, because of the ill-treatment she receives from the people she lived with, and some suspense is brought about by her running away from their home. Tracy, too, is a sympathetic character because of his kindness towards the heroine:—

Tracy and Erwin, sign painters, touring the country for locations on which to paint their advertisement, stop at a farm where Marian Nixon lives. She is the household drudge and is treated cruelly by the farmer and his son to whom she is engaged. When Tracy and Erwin leave they find her hidden in their truck and decide to take her to New York with them. Tracy and the girl fall in love with each other, and when the farmer arrives in search of her she consents to go back so that no charges will be made against Tracy. Tracy is unhappy and once back in New York he cannot forget Marian. On the day of the wedding

Marian runs away again, goes to New York, and there, by a twist of circumstances, she again finds Tracy. A happy reconciliation follows.

The plot was adapted from a story by Myles Connolly. It was directed by Harry Lachman. In the cast are Lila Lee, Sarah Padden, Frank McGlynn, Jr., Russell Simpson, and others.

Several suggestive remarks are passed, but it is doubtful if children will understand them; not suitable for adolescents or for Sunday showing.

Substitution Facts: This is replacing No. 32 listed on the contract as "Untitled Landi No. 4." It is a star substitution.

### **"The Great Jasper" with Richard Dix**

(RKO, March 3; running time, 81 min.)

Just fair. The production is good, but the story is lacking in entertainment value and it is immoral. It is a character study of the hero, an easy-going, irresponsible and immoral person, who at times is likeable and at other times unsympathetic. Richard Dix's performance is fairly good, but most of the other characters are so unpleasant that their actions get on one's nerves. For instance, the hero's wife is a nagging, obstinate, straight-laced woman, who never unbends or tries to understand the hero; her unbearable attitude drives him away from her. Then there is the hero's illegitimate son who inherits most of his father's bad traits without any good ones and who, without any hesitancy, steals the affections of the fiancée of the hero's legitimate son, suggesting that she live with him. In the closing scenes an attempt is made to show that the hero regrets his years of waste, but this not only does not ring true, but brings on derisive laughter when the hero makes a remark that is in bad taste; it is about the fact that when he is in heaven with the angels his wife will not have to worry about his being unfaithful to her.

The hero, although married and a father, has an affair with the young wife of his elderly employer. A son is born to this woman and the employer thinks he is the father. But ten years later the employer finds out about the affair and discharges the hero. Not being able to induce his wife to travel with him, the hero takes their son and goes to Atlantic City. He becomes acquainted with an elderly woman who is a fake astrologer, and when she dies she leaves him her business. Because of his winning ways with women, he is rolling in wealth in a short time. His wife comes to take their child away, but she remains and enters into business for herself since she does not approve of the hero's business; she refuses to live with the hero. A few years later their son, now grown, becomes engaged to a pretty girl. One day the hero receives a call from his illegitimate son and they become friends. The boy's mother calls on the hero and their affair starts over again. The illegitimate son induces the young girl to transfer her affections to him, and when the hero remonstrates with him he strikes him. This brings on heart failure and just before he dies there is a reconciliation between him and his wife who had called with their son to see him.

The plot was adapted from the novel by Fulton Oursler. It was directed by J. Walter Ruben. In the cast are Florence Eldridge, Wera Engels, Walter Walker, Edna May Oliver, David Durand, Bruce Line, James Bush, Bruce Cabot, Betty Furness and others.

Not suitable for children, adolescents or Sunday showing.

### **"Smoke Lightning" with George O'Brien**

(Fox, Feb. 17; running time, 59½ min.)

As is usually the case in the westerns with George O'Brien, the background and photography of this picture is excellent. The story runs more or less in the routine manner, with some human interest, suspense, comedy, and the usual horseback riding. The human interest is brought about by O'Brien's attachment to a young orphan girl, owner of a ranch, and laughs are brought about by the way in which he and his pal try to dress the child in skirts; she had been accustomed to wearing trousers at all times. The closing situation showing the villain abducting the child is fairly exciting, particularly when the hero, on horseback, races after the train on which the child was being taken away.

The plot was adapted from a story by Zane Grey. It was directed by David Howard. In the cast are Nell O'Day, Betty King Ross, Frank Atkinson, Clarence Wilson, Morgan Wallace, and others.

Suitable for children and for Sunday showing where Westerns are shown.



tain church people so as to dispose influential church leaders favorably, as Dr. Guy Emery Ship-ler, editor of *The Churchman*, and Dr. Fred Eastman, one of the editors of *The Christian Century*, brought to light several years ago. The Church people, however, at last realized that they were being "used," and broke relations with the producer organization. This organization is now trying to keep the public hoodwinked by means of these committees.

How can volunteer committees stop the production of such material as the stage play "Shanghai Gesture," "The Great Magoo," "Rain," and the like, and such books as "Sanctuary," "The Fountain," "Call Her Savage," and the like, when Mr. Hays himself cannot do it?

Boosting for the good pictures and ignoring the poor ones is not the method by which the unworthy pictures may be eliminated, for such a method is just like curing the effect but leaving the cause. There must be an operation performed to remove the cause. And such an operation can be performed only by a law that gives the right to the amusement vendor to purchase for his customers the kind of amusement that appeals to their tastes. And Bill S. 3770, now on the calendar of the Senate, is that law.

### WHAT IS MGM GOING TO DO ABOUT THIS?

Metro-Goldwyn-Mayer sold forty-eight pictures on the regular contract for the 1931-32 season. Of these, seven were 35% pictures, seven 30%, and the remainder 25%. In some territories there was some variation, but in most territories this was the basis.

So far they have delivered all the 35% pictures; they are:

"The Champ," "Private Lives," "Hell Divers," "Tarzan," "Letty Lynton," "Red Headed Woman" and "Smilin' Through"; all the 30% pictures, which are:

"Possessed," "Night Court," "As You Desire Me," "Skyscraper Souls," "Blondie of the Follies," "Fast Life," and "Son-Daughter." But of the forty-four 25% pictures, they have delivered only twenty-eight; they are:

"Pardon Us," "Guilty Hands," "The Squaw Man," "Phantom of Paris," "The Cuban Love Song," "The Guardsman," "Flying High," "West of Broadway," "Lovers Courageous," "Passionate Plumber," "Beast of the City," "When a Feller Needs a Friend," "Freaks," "Polly of the Circus," "Arsen Lupin," "Are You Listening?" "But the Flesh is Weak," "The Wet Parade," "Huddle," "New Morals for Old," "Unashamed," "Washington Masquerade," "Downstairs," "Speak Easily," "Divorce in the Family," "Kongo," "Faithless," and "Fu Manchu."

They now owe the exhibitors six pictures: One Garbo, one Haines, "The Awakening," "Boarding School," "Bridge vs. Bridge," and "Three Wise Fools."

The practice of selling a group of pictures at certain prices and then delivering the number short, with the undelivered pictures taken from the lower classifications, is unfair in that the average per picture is made to come higher.

Here is another thing to consider: When MGM was selling you two Garbo pictures they either had Miss Garbo under contract for those two pictures or they did not have her. If they did not, then they should not have made you believe that they had

her, for with two Garbo's in the group the price you paid was naturally higher than you would if you had known that there would be only one Garbo delivered. A second Garbo, which you are entitled to, would have certainly drawn more than, say, "Letty Lynton."

Since the shortage of the low classification pictures is about one-sixth of the total of such pictures (6/28ths) you are entitled to an adjustment of the price you paid for one 35% picture and one 30%.

The fair thing for MGM to do is to refund 5% of the money you paid for the last 30% picture and at least as much for the last 35% picture.

Of course you will not get it; for fairness is hardly known among some producer-distributors. But you are entitled to this refund just the same. If they do not give it to you, then it is up to you to take it out of the price you will pay for their 1933-34 product, if you should determine to buy it when the time comes. Remember that MGM is no longer the "only pebble on the beach"; in fact, it is a very small one, and if they continue making poor pictures as they have been making lately it will be a very little pebble.

### MRS. WINTER MEDDLING IN SOMETHING THAT IS FOREIGN TO HER WORK

Mrs. Thomas G. Winter, supposedly representing the Women's Clubs, but maintained by the Hays organization, has sent a letter to "Dear Key People of the Better Picture Movement" informing them that the producers feel that the double-feature bill is a detriment to the business, as being an imposition on the theatre public "to expect them to see a show that runs almost four hours," asking them to ascertain the sentiment of the public about such programs and to transmit the information to her.

The action of Mrs. Winter has been inspired by the Hal Roach studios, which have suffered greatly by the double-feature, for the sale of the shorts has been curtailed greatly thereby.

There is nothing unbusiness-like for the Hal Roach studios to try to influence the exhibitors to give up the double-feature bill, but the interference of Mrs. Winter is altogether unwanted, for this is an economic matter and it has to be solved by the exhibitors themselves.

Personally I am opposed to double features, but up to this time I have refrained from taking any part whatsoever in the double-feature controversy, for I have felt all along that this is an economic matter that affects the exhibitor himself, and it must be solved by none other. The exhibitor who sees his daily receipts vanish by the affiliated theatre's either corraling all first-run product, or at least getting a long protection over him, or giving additional vaudeville acts, or lowering his admission prices, must do something to keep people coming to his theatre. And giving two features on the same bill in addition to shorts is one way of doing it; that is, at least, what his experience has been. If it had not helped him, he would not have continued practicing it.

The double feature problem will solve itself only when the affiliated theatre ceases to have an advantage over the unaffiliated in the matter of purchase of pictures and of run. And until that is settled, outsiders had better keep out of the controversy.

Only Bill S. 3770 can solve this problem, for it makes pictures a free "commodity."



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## Is Sex the Only Theme for Suitable Entertainment?

In the Milliken article mentioned in last week's issue there is the following statement:

"The motion picture would fail in its essential entertainment purpose if it made only pictures suitable for the child mind."

Since this is a delicate subject and a representative of the Hays organization, founded supposedly for the moral improvement of motion pictures, must be careful as to what he writes or says, Mr. Milliken naturally stated somewhat vaguely what he had in his mind. But it is not difficult for us to guess what it was. What he meant to say was, I believe, that it is not profitable for the motion picture industry to produce only sexless pictures for the purpose of suiting children, and that it must adopt sex themes, because it is only such themes that attract the adults. Such is at least the interpretation that an intelligent person can place on what Mr. Milliken said; and since he cannot make a statement that is contrary to the policy set down by Mr. Hays, what he has said in that article represents fully the views of Mr. Will H. Hays.

As to the appropriateness of founding pictures on sex themes, this paper has no disagreement. Sex is part of our life and try as we may we cannot escape it. What this paper has condemned right along is the manner by which this element is introduced in pictures. Hollywood knows no delicacy; in fact it seeks to introduce it in the most vulgar fashion, a fashion that outrages the feelings of decent people and produces an effect opposite to that intended. Let us take just one example to illustrate the subject, to prove that this sex obsession of the producers, in New York and Hollywood, ruins marvelous material—"The Secret of Madame Blanche," produced by Metro-Goldwyn-Mayer; the plot was taken from Martin Brown's stage play "The Lady."

In the beginning of the picture the hero, son of an aristocratic Englishman, meets the heroine, an American chorus girl playing in London, and falls in love with her. Instead of doing what any normal human being would have done when truly in love, which is to propose marriage, he makes insulting advances to her. When he finds out that she is a decent girl, he offers to marry her. But the harm is already done—our feelings are outraged and we are antipathetic towards him afterwards, even though he kills himself out of love for her when his father makes separation his terms for reconciliation.

Twenty years later a young man is seen at a dug-out in France reading to his comrades a letter he had received from a young woman, and they all have a good laugh. What is our reaction to this? We characterize this young man as a cad, for we have been taught to know that a well brought-up

man should, not only not treat women in such a manner, but on the contrary defend them when any one attempts to besmirch their name. It makes no difference what the character of the woman is; chivalry demands that we defend their good name.

Later on, this young man lures the young woman to a wine shop with the intention of ruining her. The girl objects to his advances. Circumstances so shape themselves that he does not carry through his intentions. There is an altercation and he is knocked senseless by one of the revelers. The proprietress, who is none other than the heroine, orders that the young man be taken to her room to be nursed. There, from the young woman, she finds out his name and realizes it is her own son. She gives the young woman money to return home.

The following morning the young woman's father comes to the wine shop to avenge his daughter's honor, which he thought had been sullied, and the young man shoots and kills him in self-defense. The heroine, without revealing her identity to her son, bids him remain silent and then takes upon herself the murder. During the trial, however, the fact becomes known and the son, denouncing his grandfather for having lied to him about his mother, confesses to the murder, and thus saves his innocent and noble mother from paying the penalty for his act. He is sent to jail for a few years, promising his mother to return to her after his term expired.

Now, the only time the young man moves us is at the moment when the fact that the heroine is his mother is revealed, and he denounces his grandfather, recognizing the noble character of his mother. Had he been in true love with the young girl and kept his thoughts pure towards her, our sympathy would have been so strong for him that when at the time of the trial the fact that the woman who was taking the blame for the murder is his mother becomes known, the emotional effect would have been twenty times as strong and we would have left the theatre admiring the character of the mother, who did not hesitate to go even to the gallows for her son, and felt affection towards the young man for the nobleness of his character, excusing him for the murder, for we would consider him innocent. As it is, we feel that, though he had committed the murder in self-defense, he was morally guilty, because it had been brought about by his own blameworthy acts.

This example and innumerable other such examples ought to prove to any rational human being that sex appeal, introduced in this fashion, harms a picture instead of helping it.

But niceties such as these are too delicate to be found among the sex-mad leaders of Hollywood,

(Continued on last page)



### **"Blondie Johnson" with Joan Blondell and Chester Morris**

(First Nat'l., Feb. 25; running time, 67 min.)

Although there is fast action and good comedy situations in "Blondie Johnson," it is a demoralizing gangster picture. The methods by which the heroine, a racketeer, and her henchmen work extortions and other unlawful rackets are shown. In addition, many of the remarks are vulgarly suggestive. The hero, too, is a racketeer; therefore, no sympathy is felt for him. There is suspense in the closing scenes, where the hero is being "put on the spot" by his former pals. The actions of both the hero and the heroine are offset to some degree in the closing scenes when both express their sorrow at the way they had lived, and pay for their misdeeds by going to prison. The situation that shows the hero attempting to induce the heroine to surrender to him are pretty raw:—

The heroine's mother dies because of lack of funds to provide medical attention. This so embitters the heroine that she determines to take the easy way of making money. She goes to a big city and starts off by petty racketeering. The hero, resentful because she had "put one over on him," insults her, but they soon become friends and partners in rackets. With the help of the heroine, the hero soon becomes the leader, and this goes to his head. The heroine, although in love with him, refuses to succumb because she wanted to be free to continue her rackets. He has an affair with a chorus girl and tries to send the heroine out of town. The gang resents this and tells him he is through. The chorus girl deserts him, and he has no money. In the meantime, the heroine had been made the leader. She is told that the hero had betrayed them and orders her henchmen to kill him. As soon as they leave she finds out that he had refused to give evidence to the district attorney and she rushes after her men. But too late, for they had already shot him. This brings about a roundup of the gang. The hero recovers, but both he and the heroine are sentenced to prison. They promise to change their ways and to marry when they come out of prison.

The plot was adapted from a story by Earl Baldwin. It was directed by Ray Enright. In the cast are Allen Jenkins, Claire Dodd, Earle Foxe, Mae Busch, Joe Cawthorne, Sterling Holloway, Toshia Mori, and others.

Not suitable for children, adolescents or for Sundays.

### **"Scarlet River" with Tom Keene, Dorothy Wilson and Roscoe Ates**

(RKO, March 17; running time, 53 min.)

Excellent entertainment. As a western it stands in a class by itself, since the routine story is used just as a framework and is incidental to the comedy situations that make up most of the picture. It starts off with a laugh by "kidding" westerns, showing that it is almost impossible to shoot a western because of automobiles, telegraph poles, intrusions by hordes of people, and other disturbances. Several of the situations are extremely mirth-provoking, such as the one in which Edgar Kennedy, a motion picture director, wanting to rid himself of Roscoe Ates, a cowhand, who tries to interest him in a scenario he had written, tells him he will allow him to act. Ates is forced to jump and fall until he is tired out. There is human interest all the way through, and there are thrills in the closing scenes where the heroine is held prisoner.

The plot was adapted from a story by Harold Shumate. It was directed by Otto Brower. In the cast are Creighton Cheney, Betty Furness and others.

Suitable for children, for adolescents, and for Sundays.

### **"Perfect Understanding" with Gloria Swanson**

(United Artists, Mar. 11; running time, 83 min.)

Poor! This type of story has been done so many times that it cannot hold one's interest. An attempt has been made to hide the mediocrity of the story with lavish settings and an air of sophistication, but the final effect on the spectator is that of boredom. Filled with talk, and no action, it becomes tiresome even before it is half way through. And there is very little comedy relief. The entire action could, in fact, be shown in less than two reels:—

The hero and the heroine are in love with each other, but she fears marriage. She finally consents to marry him, with the understanding that each will have personal freedom. She leaves him in the company of some friends at Cannes, and returns to London to furnish their apartment. He meets a former acquaintance, a woman who had been in love with him for some time, and after a motorboat mis-

hap she takes him to her villa. While there they have an affair. When he returns to London he confesses to the heroine and she forgives him. But she is racked by jealousy and doubt and while the hero is away she accepts an invitation to dine at a friend's apartment. The hero returns home unexpectedly and follows her to the friend's apartment. He waits around until three o'clock in the morning, for the heroine to leave, since her car was in front of the door. What he did not know was that the heroine had left earlier in the evening, deciding to walk, leaving the car remain in front of the friend's home. The hero accuses her and they separate. She sues him for a divorce, but at the trial they are reconciled.

The plot was adapted from a story by Miles Malleson. It was directed by Cyril Gardner. In the cast are Lawrence Oliver, Sir Nigel Playfair, Michael Farmer, Genevieve Tobin, Nora Swinburne, Charles Cullum, and others.

Not for children, adolescents or for Sunday showing.

### **"Our Beters" with Constance Bennett**

(RKO, Mar. 17; running time, 82 min.)

Fairly good entertainment for sophisticated audiences. The settings are handsome and the acting is excellent. The story is thin; it is only a character study, of wealthy titled society people in England. The action revolves around a group of former Americans, and in sarcastic fashion shows up their bad manners, vulgarities, love affairs, and quarrels. The worst offender is the heroine, leader of the circle, who had been disillusioned on the day of her marriage when she discovered that her titled husband did not love her, but that he had married her only for her money to enable him to keep his mistress. Comedy is sustained throughout, and is brought about particularly by a wealthy middle-aged Duchess, impersonated most ably by Violet Kemble-Cooper, who loved and supported a handsome young gigolo. The situations in which she plays up to this young man are mirth-provoking. The height of comedy is reached in the closing scenes where the heroine, in an effort to pacify the Duchess, who was angry because the heroine had been found in an embarrassing position with the gigolo, arranges to have a young effeminate dancing instructor call and flatter the Duchess; the Duchess capitulates. There is one boldly suggestive situation; it is where the heroine's young sister finds the heroine with the gigolo.

The plot was adapted from the play by Somerset Maugham. It was directed by George Cukor. In the cast are Gilbert Roland, Charles Starrett, Anita Louise, Phoebe Foster, Grant Mitchell, Minor Watson, Tyrell Davis, and others. Violet Kemble-Cooper "steals" the attention.

Not suitable for children, adolescents or for Sunday showing.

### **"Humanity" with Boots Mallory, Ralph Morgan and Alexander Kirkland**

(Fox, March 3; running time, 70 min.)

A deeply human interest story of the program variety. The emotional appeal comes from the fact that the old doctor, father of the hero, is a decent fellow, wanting to see his son, also a doctor, follow in his footsteps and think more of the good he could do to humanity than of the size of his fees. In the development of the plot it is shown that the young hero, influenced by a selfish woman, whom he had met and fallen in love with, becomes dissatisfied with his father's ways and decides to seek to improve his position. Since he did not have the necessary capital to enable him to establish himself in a better neighborhood, he accepts the twenty-five thousand dollar offer of some racketeers to take care of their wounded men, refraining from informing the police authorities. The killing of a racketeer proves his undoing; the police trace him to the office of his father, where he had taken the wounded racketeer. The racketeer dies. The hero's father, a reputable doctor, in order to save his son from the consequences of his acts, takes the blame himself. His license is revoked. The son now repentant returns with a determination not to allow his father to take the blame for him and when he finds his father dead he determines to carry on his work.

The story is by Harry Fried; the direction, by John Francis Dillon.

Not objectionable for children, and for adolescents, or for Sunday showing; though the hero is shown as having violated the ethics of his profession he is made to suffer for it and in the end he is regenerated.

Substitution Facts: This is replacing No. 31 listed on the contract as "Untitled Landi No. 3." It is, therefore, a star substitution.



# **"Ladies They Talk About" with Barbara Stanwyck**

(Warner Bros., Feb. 4; running time, 69 min.)

Just fair! It is only excellent acting that saves it from being mediocre. It is a prison melodrama, and the scenes of the women's prison are so exaggerated as to be farcical. For instance, their cells look like girls' rooms in colleges, and the girls are shown going to sleep in silk nightdresses and wearing the daintiest lace and silk underwear under their prison dresses. The talk that goes on between some of the inmates, in which they refer to a brothel, which had been run by one of them as a "beauty parlor," is dirty at times. The heroine is not a very sympathetic character, for she is shown as being a member of a gang of crooks, and her acts, while in prison, make her even more unsympathetic. For instance, she enters into a plot to aid two male prisoners to escape. The closing scenes have some suspense, for the heroine is determined to kill the hero, thinking he had double-crossed her. But, in movie fashion, she changes her mind and accepts his marriage proposal.

In the plot, the heroine is shown arrested on suspicion of having been an accomplice in a bank holdup. The hero, a preacher who had been friends with her when they were both children, falls in love with her and since she tells him she is innocent he is determined to help her. Just as she is to be paroled in his custody she confesses to him that she was guilty but that now she will start life anew with him. He refuses to sign the parole and disgusted she confesses to the district attorney and is sentenced to three years in prison. When she is released she calls at the hero's temple and shoots him. It is then that she realizes she loves him, and is happy that he is not wounded seriously. They are united.

The plot was adapted from a story by Dorothy Mackaye and Carlton Miles. It was directed by Howard Bretherton and William Keighley. In the cast are Preston S. Foster, Lyle Talbot, Dorothy Burgess, Lillian Roth, Maude Eburne, Harold Huber, Ruth Donnelly, and others.

Not suitable for children, for adolescents or for Sundays.

# **"Crime of the Century" with Stuart Erwin, Frances Dee and Jean Hersholt**

(Paramount, Feb. 24; running time, 73 min.)

A fair murder mystery melodrama. The first half is rather slow, given more to talk than to action. But the second half holds one in tense suspense, even though most people will guess the murderer's identity. The situations in which the first and then the second murders are committed are gripping, and the closing scenes in which the murderer's identity is made known are exciting. Stuart Erwin provides some good comedy as a prying newspaper reporter:—

The police inspector receives a call from a doctor who tells him a strange story. It seems that the doctor had under treatment a patient he could hypnotize. He had told the patient to bring \$100,000 to his office intending to retain the money after killing him. He begs the police to prevent him from committing murder. The police promise him that they will not leave him alone. While he is treating the patient, instructing him to take the money back to the bank, the lights go out, the patient is murdered, the doctor chloroformed, and the money taken. The hero, a newspaper reporter, rushes into the house when he hears the doctor's wife scream. He does some investigating before the police arrive and finds some valuable clues. Many people are suspected, particularly the doctor's wife, but it eventually comes to light that the two murders had been committed by the police inspector who, when cornered, kills himself. The money is recovered. The hero falls in love with the heroine, daughter of the doctor.

The plot was adapted from a story by Walter Maria Espe. It was directed by William Beaudine. In the cast are Wynne Gibson, David Landau, Robert Elliott, Gordon Westcott, Torben Meyer, William Janney and others.

Children will not understand the implication about the fact that the doctor's wife is unfaithful; unsuitable for adolescents or for Sunday showing.

# **"A Lady's Profession" with Alison Skipworth, Roland Young and Sari Maritza**

(Paramount, Mar. 3; running time, 70 min.)

A fair program picture. The plot is weak and there is too much talk; it depends entirely upon comedy situations for entertainment. The performances are good, particularly that of Alison Skipworth and of Roland Young, as two impoverished English people of the aristocracy, who, when

they arrive in America, find themselves up against American racketeers whose methods puzzle them. The situation in which they mistake a potential buyer of their speakeasy for a revenue agent is quite funny. Some excitement is caused in the closing scenes where Alison Skipworth, realizing that the cafe is to be raided, hurriedly sells it to an eager buyer. There is a pleasant romance between Sari Maritza and Kent Taylor:—

Alison Skipworth and her brother, Roland Young, English aristocrats, find they are broke. Young decides to go to America to make his fortune. His daughter, Sari Maritza, together with Alison Skipworth, sail to join him. Kent Taylor, son of an American millionaire, is in love with Maritza, but she refuses to marry him lest she and her family be a burden to him. In America, Skipworth is shocked to find her brother running a speakeasy. They try to sell it but their scheme fails. Realizing that they must recover their investment, she closes the place, has it redecorated, and then opens it again using their titled English names. This attracts society people, and it becomes profitable. When they refuse to buy liquor, the racketeers frame them by putting whiskey into the ginger ale bottles. The police are tipped off and go to raid the place. Skipworth is informed of it and, realizing that they will be ruined, she sells out to the eager buyer. But the buyer had only acted as agent for Taylor, who wanted to buy it to help them out. All is explained, and Maritza and Taylor are married. Skipworth and Young decide to return to England.

The plot was adapted from a story by Nina Wilcox Putnam. It was directed by Norman McLeod. In the cast are Roscoe Karns, Warren Hymer, George Barbier, Dewey Robinson, and others.

Because of the liquor angle, its suitability, for children, adolescents, or for Sunday showing is problematical. You will have to use your own judgement.

# **"Parole Girl" with Mae Clarke and Ralph Bellamy**

(Columbia, Mar. 4; running time, 67 min.)

Although very well produced, this is just mediocre entertainment. The plot is illogical and the characters are so unsympathetic that one loses interest in the outcome. One cannot sympathize with a heroine who is first shown as working an illegal racket, and then, when freed from prison, seeking revenge on the man who, because of his duty, was responsible for sending her there. The situation in which she forces the hero to acknowledge her as his wife is ridiculous and at the same time unpleasant. As a matter of fact all her actions make one feel resentful towards her instead of pitying her. There is some suspense in the closing scenes when the hero's divorced wife calls on the heroine, forcing her to see that the ex-wife left before the hero returned. In the development of the plot the heroine is shown finally confessing to the hero that he had not married her, but that it was just a trick on her part to make him suffer. But since they loved each other they are united.

The plot was adapted from a story by Norman Krasna. It was directed by Eddie Cline. Others in the cast are Marie Prevost, Hale Hamilton, Ferdinand Gottschalk, Ernest Wood, Sam Godfrey and John Paul Jones.

Not suitable for children, adolescents or Sunday showing. (The Home office running time is 71 minutes.)

# **"King of the Jungle"**

(Paramount, Mar. 10; running time, 72 min.)

Excellent entertainment! It is filled with thrills, human interest and some excellent comedy situations. Although some of the thrills are brought about by means of double exposure camera work, they appear so realistic that the spectator does not know the difference and is made to feel they are natural. There are two exciting fights between animals; one between a lion and a bull, and the other between a lion and a tiger. The situation in which the hero enters the heroine's apartment appropriating all the food and then frightening her girl friend provokes much laughter. The closing scenes are the most thrilling part of the picture. A fire breaks out in the circus and the animals are seen rushing about, endangering the lives of the audience. The elephants run into the street, overturning buses filled with people and breaking down everything in their way.

The plot was adapted from a story by Charles Thurley Stoneham. It was directed by H. Bruce Humberstone and Max Marcin. In the cast are Buster Crabbe, Frances Dee, Robert Adair, Nydia Westman, Irving Pichel, Sidney Toler and others.

Suitable for children, adolescents and for Sundays.



who seem to have an idea that life is not worth living unless it is spent in the gratification of sex desires. And the Hays organization has been indirectly guilty of such a state of affairs, for it has tried right along to neutralize the efforts of those who have endeavored to implant new thoughts and different opinions in the minds of these persons out of a belief that permanent success for the industry lies in an appeal, not to the flesh, but to the mind.

"As the machine constantly increases the amount of leisure time at the disposal of modern man," says the Milliken article elsewhere, "it becomes correspondingly necessary that community leadership concern itself with ways and means to develop public taste that will result in the wise beneficial use of that leisure." Nonsense! How can "community leadership" develop "public taste" with such material as "The Secret of Madame Blanche," distorted to the limitations of the minds of those who have produced it, "So This Is Africa," where no vulgarity has been left out of it. "The Shame of Temple Drake," taken from a book that deals with degeneracy and sexual perversion, and other material of this kind? And isn't it passing the buck? The place where taste must be developed is not in the communities, where pictures are shown, but in Hollywood, where pictures are produced, and in the home offices of the producers, where the picture material is frequently selected.

### WHAT ARE YOU GOING TO DO WITH "SO THIS IS AFRICA!"?

"So This Is Africa!" is so vulgar, so coarse, so low, that ninety-five per cent of those of you who have your theatre in a small town will not be able to show it. If you should show it, I am sure that it would take months and months before you could offset the ill feeling that will be created among the people of your community. They will class you as coarse and vulgar, as a being without any finer feelings, without any civic pride, without any moral responsibility. They will, in fact, think you a moral leper.

If any one should attempt to force you to show it, call on your ministers and on the leaders of your community and ask their help. Make them understand that you are not responsible for the production of this type of pictures, that you do not want to show them, that you are forced to do so for it would bankrupt you if you were to pay for them and not show them, enlisting their aid towards a law such as Bill S. 3770, which will be the only means by which you will be enabled to reject such pictures. Let them write to the Columbia Corporation, demanding that they release you from playing it. It is useless for them to write to the Hays organization.

### THE CONDITION OF MGM

Looking into the New York *Times* of Thursday, February 16, I read the following news item in the financial page:

"Metro-Goldwyn Pictures Corporation (entire common stock of which is owned by Metro-Goldwyn-Mayer Corporation, subsidiary of Loew's, Inc.)—Twelve weeks ended Nov. 24: Net profit after taxes, \$93,911, equivalent to 60 cents a share on 157,932 shares of preferred stock, against \$434,066, or \$2.69 a share on 161,654 shares of preferred in the twelve weeks ended Nov. 20, 1931. Gross profit, \$1,197,583, against \$1,745,515 in the pre-

ceding years; operating profit, \$50,675, against \$357,671; total income, before taxes, \$109,837, against \$493,257."

And yet Louis B. Mayer has engaged his son-in-law David Selznick at \$4,000 a week, furnishing him a special building on the lot (now being constructed in the studio) and a private publicity agent.

### FOX SUBSTITUTIONS

"Broadway Bad," "Smoke Lightning," "Dangerously Yours," "Hot Pepper," "Robbers' Roost," "Me and My Gal," "Call Her Savage," "Tess of the Storm Country," "Too Busy to Work," "Golden West," "Rackety Rax," "Six Hours to Live," "Wild Girl," "Hat Check Girl," "Chandu," "Down to Earth," and "Congorilla" are not substitutions.

"Infernal Machine" (17): This has replaced "On Parade," described in the contract as a story of modern youth, but since no author is given it cannot be pinned down as a substitution.

"Second Hand Wife" (12): This is replacing "Okay," which was to feature James Dunn and Sally Eilers. Sally Eilers is in "Second Hand Wife," but James Dunn is not; therefore, it is a star substitution.

"Face in the Sky" (32): This has replaced what is described in the contract as "Landi No. 4"; therefore it is a star substitution.

"Handle with Care" (15): This is replacing "Born Wild," which was to have starred James Dunn and Sally Eilers. Since James Dunn appears in it one cannot very well class it as a star substitution—even though Sally Eilers is absent from it.

"Sherlock Holmes," (16): This is replacing "Havoc," which was to have been based on the play by Harry Wall. Since "Sherlock Holmes" is by Conan Doyle, it is a story substitution. Some contracts contain "Sherlock Holmes" instead of "Havoc." In such cases it is not a substitution.

For all substitutions in the future watch the footnote in each review.

### THE EFFECT OF THE EDITORIAL ON SCREEN ADVERTISING

In the issue of January 14 I dealt with an appeal from the editor of a newspaper requesting my help for inducing his local exhibitor to give up his screen advertising activities. At that time I did not mention the town or the name of the newspaper editor; but I am now at liberty to do so. The town was Wayzata, Minnesota, and the name of the editor, Palmer Holman, publisher of the "Minnetonka Herald."

As a result of that article, Mr. Holman informed me in the same week that Messrs. Garish and Lee, the owners of the local theatre, to whom I had sent a copy of that issue, gave up their screen advertising entirely.

Mr. Holman was so pleased with the results that he wrote to the Minnesota Editorial Association, National Editorial Association, the National-Printer-Journalist, Printers Stewardship Magazine, Printers Ink, and others. That editorial together with Mr. Holman's letter is being reproduced by several newspaper magazines and many newspaper organizations in their confidential bulletins, with the result that considerable good will is being created for the exhibitors.

Most of that editorial has appeared also in *American Press*, published in New York City.



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, MARCH 11, 1933

No. 10

### Will There Be a Shortage of Pictures This Season?

I have been asked whether the national producers are going to deliver all the pictures they have sold this season or not.

In a desire to answer this question as accurately as possible, I have made a thorough inquiry. Here are my findings:

#### Columbia Pictures

Columbia has sold forty-eight pictures this season, thirty-two of which were to be regular features and sixteen westerns.

Up to "California Trail," which, according to the release schedule printed in the Blue Section of February 18, will be released on March 24, Columbia will have delivered, including "Parole Girl," which does not yet appear in the schedule, twenty-nine pictures, sixteen of which are of the regular type and thirteen westerns. This leaves nineteen to be delivered, of which fourteen will be regular features and five westerns.

Jack Cohn has assured me that Columbia will deliver the full number of pictures it has sold.

#### First National Pictures

First National has sold thirty pictures. Up to the "Mind Reader," which is scheduled for release April 1, it will have delivered sixteen, leaving fourteen to be delivered.

I have been assured by a high executive of First National that his company will deliver, not only all the pictures it has sold, but in all probability a number of extra pictures, such number depending on the situation that may develop as a result of the receiverships among other companies.

#### Fox Film Corporation

Fox has sold forty-two pictures on the regular contract. Up to "Pleasure Cruise," which, according to the Fox release schedule printed in the last Blue Section, will be released on March 31, it will have delivered twenty-seven pictures, leaving fifteen to deliver. In addition to these twenty-seven it has delivered or is delivering two other pictures, "Cavalcade," and "State Fair." But these are additional pictures; they are not included in the contract for the forty-two.

A high-rank executive has expressed the belief to me that his company will deliver the full number.

#### Metro-Goldwyn-Mayer

MGM has sold forty-six pictures on the regular contract, and four specials ("Grand Hotel," "Strange Interlude," and two Dresslers), making fifty in all. Up to "Hell Below," set for release March 24, it will have delivered, including "Grand Hotel" and "Strange Interlude," sixteen pictures, leaving thirty-four to be delivered to the end of the season (lacking four months).

Since this company finished its 1931-32 deliveries six pictures short, it is doubtful if it will do better during this season. If anything, its shortage will be greater this season—perhaps fifteen. If so, then the pictures it will owe you will be nineteen. Even then, it will, I believe, be late in the fall before it may deliver the last pictures. In the last season, it delivered seven pictures after the new season began—between September 24 and December 24.

The Metro-Goldwyn-Mayer executives had better wake up and do something; the number of pictures they seem able to produce are not sufficient to keep steam up.

#### Paramount

Paramount has sold a minimum of sixty-five, but a high-rank executive has told me that, unless something unforeseen happens, his company will deliver about sixty-two. Since up to "Murders in the Zoo," set for release March 17, this company will have delivered, counting in "Hello Every-

body" and "King of the Jungle," which do not yet appear in the schedule, thirty-nine, twenty-three remain to be delivered.

#### RKO

RKO has sold fifty-four regular pictures, six Tom Keene westerns, "Bring 'Em Back Alive," and "King Kong," or sixty-two in all. Up to "Sweepings," set for release March 24, it will have delivered, counting in "Our Betters" and "King Kong," which do not yet appear in the schedule, thirty-four, leaving twenty-eight for future delivery, two of which are to be westerns.

A prominent official of this company has told me that they will deliver the full number of pictures.

#### United Artists

The executives of this company have not yet definitely determined how many pictures they will deliver this season; but they will not deliver fewer than twelve and not more than sixteen.

So far they have delivered, including "Perfect Understanding," "Whistling in the Dark," "Secrets," and "The Masquerader," which do not yet appear in the Index, eleven.

#### Universal

Universal has modified its release schedule slightly. It will deliver the twenty-six contract pictures it sold. In addition to these, it will deliver three Tom Mix's, three Ken Maynard's, "Rome Express" (British), "Be Mine Tonight" (British), and "The Big Cage" (American, made at the Universal Studios). This makes the number thirty-five.

By March 16 Universal will have delivered sixteen pictures—twelve regular releases, three Tom Mix's, and "Rome Express." It will owe nineteen. "The Road Back" will not be produced this season.

A prominent executive has assured me that Universal will deliver every one of the thirty-five.

#### Warner Bros. Pictures

This company has sold thirty pictures. With the five westerns that it announced for production and sale afterwards, the number comes up to thirty-five.

So far it has delivered eighteen, of which four are westerns. It still owes seventeen—sixteen regulars and one western.

A prominent executive has informed me that his company may produce more pictures than it has sold.

#### World Wide—KBS Tiffany

World Wide, in conjunction with KBS Tiffany, offered to the exhibitors twenty-nine features. Tiffany was to deliver eighteen—eight Ken Maynards, and ten regular features, and World Wide eleven.

So far World Wide has delivered four, and KBS Tiffany has delivered (or has set for release) thirteen, eight of which are Ken Maynards.

Because of the disarrangement in the relations of these two companies as a result of the fact that the physical distribution of Educational pictures, which distributes World Wide and KBS Tiffany pictures, has been taken over by Fox, it is difficult to say how many more they will produce. KBS may deliver one more to World Wide, releasing the remaining two it owes the exhibitors through some other distributing agency. As far as World Wide is concerned, I doubt if it will produce any more; or if it will produce, that the number will be other than one or two. So the shortage in the output of these two companies combined may be seven or eight.

The total number of pictures that have been released or announced for release by the national producer-distributors

(Continued on last page)



### **"Strictly Personal" with Marjorie Rambeau, Dorothy Jordan and Eddie Quillan**

(Paramount, Mar. 10; running time, 69 min.)

**Mediocre!** The characters are not of the type that arouse any sympathy, since the plot deals mostly with crooks. In addition, the story is thin, and the characters talk in subdued rhythm; the cadence of the talk becomes monotonous after awhile. Several situations are unpleasant; as for instance when Louis Calhern, a racketeer, chokes Olive Tell to death when she confesses that she is not a wealthy woman as she had led him to believe. As a matter of fact, in every situation that Louis Calhern appears something ugly occurs, leaving one with a bitter taste; one resents his treatment of the girl who lives with him, and also the fact that he attempts to seduce Dorothy Jordan, an innocent girl:—

Marjorie Rambeau and her husband, Edward Ellis, an escaped convict, run a "Lonely Hearts Club," and look forward to the day when they will have enough money to buy a fox farm. Since they are living an honest life, they are in fear lest some one recognize Ellis, who had dyed his hair and straightened his nose so as to avoid recognition. Dorothy Jordan, daughter of Ellis' pal, who is in jail, comes to live with them. She thinks her father is dead. They take the girl in and treat her as if she were their own daughter. She meets Eddie Quillan, a newspaper reporter, and they fall in love with each other. Rambeau and Ellis receive a call from Louis Calhern, a racketeer, who knows about Ellis' past. He threatens him with exposure unless they run the club as he, Calhern, wants it to be run; that is, lure wealthy old men to the place, introduce them to pretty young girls, and then obtain money from them. They are forced to accept his proposition. Eddie and Dorothy quarrel when Eddie intimates that the club is not legitimate, and they part. One of the members of the club appears to be a wealthy widow and Calhern is attracted by her jewels. He plays up to her and is soon asking her for money. She confesses that all she owns are her jewels. He kills her and takes the jewels. He attempts to put the blame on Ellis but is unsuccessful. Dorothy's father, released from prison, calls on Ellis and they introduce him as a friend so that Dorothy will not know he is her father. Calhern wants Dorothy. He telephones to her to meet him if she wants to help Rambeau and Ellis. She rushes to an airport. Eddie, having followed her and found out where she was going, telephones to Ellis, and both Ellis and her father rush to the airport. The father kills Calhern just as he was to board a plane with Dorothy, but he is not caught. Dorothy and Eddie are united.

The plot was adapted from a story by Wilson Mizner and Robert T. Shannon. It was directed by Ralph Murphy. In the cast are Dorothy Burgess, Hugh Herbert, and others.

Not suitable for children, adolescents or for Sunday showing.

### **"Clear All Wires" with Lee Tracy**

(MGM, Feb. 24; running time, 78 min.)

A fair comedy. It is fast moving and the laughs are provoked by the manner in which Lee Tracy, as an international news-reporter, makes and writes news items for his American paper, obtaining scoops by lies and cheating. Although he is not a sympathetic character, and there is little human interest in the story, yet the interest is held because the spectator does not know what Tracy will do next to obtain news. The closing scenes are exciting, suspenseful, and mirth-provoking:—

Tracy is foreign correspondent for an American paper. In Paris, he meets Una Merkel, an American chorus girl, and after having had an affair with her he learns that she is being financed by his editor. This does not upset his plans for when he is ordered to Russia he takes her with him. His secretary obtains the best rooms for him by having another newspaperman ousted, and even takes the man's interpreter by paying him more money. As soon as Tracy arrives in Russia he begins sending exaggerated news reports to his paper. But the editor, finding out about Una Merkel, sends Thomas a cable firing him. And then Una Merkel leaves him. Thomas is heartbroken and realizes that in order to regain his position he must have some startling news. He and his secretary plan to shoot a Russian prince, a friend of Tracy's, in Tracy's room, and then send out cables about the Russian plot to kill the last of the Romanoffs. Everything is set and the secretary goes out on the balcony to prepare for the shooting, which they had arranged to carry out at seven o'clock. But just a few minutes before the

appointed time the head of the Russian police calls for an interview and sits in the chair where the Prince was to have sat. Tracy had no way of telling his secretary not to shoot and just at seven o'clock steps in front of the chief and receives the shot. He is acclaimed a hero. But his newspaper rival finds a copy of the cable about the shooting of the Prince which Tracy had written beforehand. He takes this to the police chief and Tracy, together with his secretary, is put in jail. Their cell mate is a half-demented communist and Tracy concocts a scheme whereby this man confesses to the shooting. This clears Tracy, and he obtains a pardon for the man. He receives a cable from his editor offering him his former position at a salary of \$50,000 a year, with orders to leave for China. Tracy suddenly realizes that he loves Benita Hume, a reporter, stationed in Moscow. They marry and she flies with him to China.

The plot was adapted from the play by Bella and Samuel Spewack. It was directed by George Hill. Others in the cast are James Gleason and C. Henry Gordon.

Not suitable for children, adolescents or for Sunday showing.

### **"The Secrets of Wu Sin" with Grant Withers and Lois Wilson**

(Invincible Pictures; running time, 64 min.)

A moderately entertaining program picture. The spectator is held in fairly tense suspense throughout, as a result of the fact that the heroine, a newspaper reporter, and another reporter, are both in danger because of their attempt to uncover the doings of a gang that were smuggling Chinese into the United States. The closing scenes are exciting; they show a Chinaman, member of a tong, attempting to murder the hero, editor of the newspaper. Comedy is provided by the reporter who was working on the case with the heroine:—

The hero, a newspaper editor, saves the heroine's life when she attempted to kill herself. He gives her a position as reporter on his paper and soon she falls in love with him. But he is engaged to a wealthy society girl. The hero assigns a reporter to the Chinatown district to work on a story about the smuggling of Chinese into the country. The heroine, desirous of helping him uncover the gang, goes to do some investigating of her own. She finds out that the hero's fiancée's father was the head of the ring and also learns where they were operating from. The hero publishes the story and his fiancée and her father leave the country. This leaves the hero free to declare his love for the heroine and they are united.

The plot was adapted from a story by Basil Dickey. It was directed by Richard Thorpe. In the cast are Dorothy Revier, Robert Warwick, Tetsu Komi, and others.

Suitable for children and for Sunday showing.

### **"The Man Who Won"**

(Powers Pictures; running time, 71 min.)

This is an English production with an all English cast. As has been the fault with other English pictures, it moves slowly, consisting more of talk than of action, although there is much human interest. Most of the characters speak with a distinct English or cockney accent, some of the things said being unintelligible. The background,—that of rural life in the English countryside,—is excellent. Both the hero and the heroine are sympathetic characters. There is some suspense in the closing scenes:—

The hero, a titled English society man, loses his fortune. The only thing left is a broken-down country estate and farm. Urged by a woman who loved him he determines to bring the farm back to a paying basis. The owner of the farm adjoining the hero's is enraged since he wanted to buy the property to annex it to his own. The heroine, his daughter, disobeying her father's instructions, calls on the hero to help him. For this her father orders her to leave his house and she is taken in by the hero, to act as his housekeeper. The hero receives a call from his former society friend who urges him to give up the farm. While the hero is at a party the heroine's father sets fire to the hero's haystack. This so discourages the hero that he decides to quit. But the heroine brings about a reconciliation between the two men and her father offers to help the hero. He decides to stay on and he and the heroine are united.

The plot was adapted from a story by Dion Titheradge. It was directed by Norman Walker. In the cast are Henry Kendall, Heather Angel, Nora Swinburne, Sam Livesay and others.

Suitable for children and for Sunday showing.



**"The Ghost Train"***(Gainsborough Pict.; running time, 67 min.)*

This is a British production with an all English cast. It is a comedy-melodrama, and is rather slow in getting started; but after the first half it picks up speed and holds the audience in tense suspense. The situation in which the ghost train is supposed to be approaching the station where the stranded passengers are stopping is exciting and eerie. The solving of the mystery is done in a logical manner. Comedy relief is supplied by an old-maid who becomes a little tipsy, and the hero who acts the fool purposely to deceive the other people, since it develops he is an operative of Scotland Yard, out to solve the mystery of the ghost train:—

Several passengers, among whom is the hero, are left stranded at a deserted looking station where they are supposed to change trains. Since they had missed their train they are forced to remain at the station over night. The station-master tells them a story about a ghost train and they become frightened. A young girl, presumably insane, enters and tells them that any one who should dare look at the train would die. Suddenly an approaching train is heard and every one is hushed. One of the passengers, a doctor, induces the people to leave in a car sent by the "insane" girl's brother. But the hero, at the point of a gun, stops them. He is a detective from Scotland Yard. It seems the ghost train was a real train carrying arms to Russia. The doctor and the supposedly insane girl were operatives of the gang and they had concocted the story so as to frighten the people, hoping they would leave the station, or else not look at the train. The hero throws the switch that opens the bridge and the train falls into the river. In the meantime the police arrive at the station, arrest the doctor and the girl, and take the other passengers to their destination. A romance had developed between the hero and the heroine, one of the passengers. She promises to meet him that evening when they reach their destination.

The plot has been adapted from the play by Arnold Ridley. It was directed by Walter Forde. In the cast are Jack Hulbert, Cicely Courtneidge, Ann Todd, Cyril Raymond, Donald Calthrop, and others.

Except for the fact that it might frighten sensitive children, it is suitable for children, adults, and for Sunday showing.

**"From Hell To Heaven"****with Carole Lombard, David Manners and Adrienne Ames***(Paramount, Feb. 24; running time, 66 min.)*

A fairly good comedy-drama. Done in the style of "Grand Hotel," it presents several characters, each disassociated from the other, and their various problems. All the action centers around a horse race, which means something to each of the individuals presented. Suspense is sustained throughout because the spectator feels sympathy towards several of the characters who have bet money on different horses, and one does not know until the end which horse will win and how it will affect the losers. Comedy is brought about by Jack Oakie, a radio announcer, whose aspirations are to be a crooner. He finally loses his position as an announcer because of his desire to sing instead of announce.

The characters involved in the story are Adrienne Ames and her husband, David Manners. Manners had embezzled \$5,000 of his firm's money in order to keep his wife in style. They are at the races to bet on a horse so as to win enough money to pay back his firm and thus avoid arrest. Carole Lombard had come to the races to find her old sweetheart whom she had deserted to marry a wealthy society man. Bradley Page was there to find his old sweetheart, Shirley Grey, and to force her to give him money. Thomas Jackson, a detective, was there to keep his eyes on things. Worked into the story is also the love affair of James C. Eagles, a jockey, and Verna Hillie, daughter of the owner of a race horse who disliked Eagles, thinking he was crooked. Eagles gets his chance to prove his worth when he receives an offer to ride the favorite horse in the race. In the development of the plot Page kills his former sweetheart and takes her money. He bets it all on the favorite and wins. But news of the murder is broadcast at the race and Jackson, the detective, hears it. He knows Page is guilty. Manners, having lost all his money on the race, is ready to go back with Jackson, under arrest. Jackson accosts Page who draws a gun. Manners jumps at him and is shot, but he saves Jackson's life. Page is killed by Jackson. Grateful to Manners for what he had done Jackson gives him the gang-

ster's money with which he can square himself with his firm. Carole Lombard finds her sweetheart and they are united.

The plot was adapted from a story by Lawrence Hazard. It was directed by Erle Kenton. In the cast are Sidney Blackmer, Nydia Westman, Walter Walker, Berton Churchill, and others.

There is some suggestive talk between Carole Lombard and Sidney Blackmer, but it is doubtful whether children will understand it; not suitable for adolescents or for Sundays.

**"The Mind Reader" with Warren William***(First National, April 1; time, 69 min.)*

Some picture-goers may like this picture because of the continual doings of the characters, but it is not a good entertainment, by reason of the fact that the hero is dishonest. By making people believe that he is able to read the future for them, he is able to obtain money from them. His marriage to the heroine, an honest girl, whom, too, he had fooled, makes him reform, but after a while he reverts to type, for he was unable to make a livelihood by honest work. During the second time that he becomes a faker, he causes much misery and brings about even death; by obtaining from a chauffeur, who is his confederate, information about the secret doings of married society people, he is able to inform the other "halves"; he is thus able to exact large sums of money from them. One of his readings brings about his own undoing; the woman whom he had informed about her husband happened to be a friend of his unsuspecting wife and when the woman is told by the hero that her husband had been unfaithful, she is heart-broken and takes the heroine into her confidence. The heroine, in order to render a service to her friend, decides to investigate the "mind reader." She arrives at his quarters just as the hero had murdered a man, victim of his reading, who had gone there to murder the hero. The hero runs away and goes to Mexico, but the heroine is arrested by the police. In Mexico, the hero carries on his fake mind reading but the thought of the fate that had befallen his wife, whom he loved, drives him to drink and almost to insanity. Revealing his crooked work to the audience at one of his performances, he returns to the United States, calls on the district attorney, and confesses. His wife is exonerated but he is sent to jail. He begs of her to divorce him. But she promises to wait for him.

The plot has been founded on the play by Vivian Gosby; the direction is by Roy Del Ruth. Constance Cummings is the heroine.

Unsuitable for children, adolescents, or for Sundays.

**"Grand Slam" with Loretta Young and Paul Lukas***(First National, Mar. 18; running time, 67 min.)*

Only fair. It is a burlesque on bridge, bridge addicts, and bridge tournaments, but it is just moderately amusing. Spectators who are not interested in the game, and who do not understand anything about it, probably will be bored because many technical terms with regard to playing are used. Although exaggerated, the funniest situation is the bridge tournament, which is attended by crowds, broadcast over the radio, listened to by police, street-cleaners, children, and others, and is cheered on by the onlookers:—

The hero, a waiter, has contempt for the game of bridge. At a party given by a society woman where he had been engaged as a waiter for the evening, he is asked to sit in at a game, his opponent being a respected authority on bridge. The hero uses no particular system and amazes everybody by his skillful playing. Urged on by his wife, the heroine, and a good publicity man, he consents to make bridge his vocation so as to earn enough money to retire and write a book. He and his wife, who always played as partners, become famous but success soon goes to his head. The heroine leaves him and without her he fails miserably. He is ridiculed and shown up as a fake. In order to make enough money to pay back friends who had backed him, he stages a tournament with his enemy, the eminent authority, which is attended by crowds. The first day he is a heavy loser. The heroine comes to his rescue, joining him in the game, and they emerge victorious. They are reconciled and decide to give up bridge for good.

The plot was adapted from a story by B. Russell Hertz. It was directed by William Dieterle. In the cast are Frank McHugh, Glenda Farrell, Helen Vinson, Walter Byron, Ferdinand Gottschalk, Joseph Cawthorne, and others.

It may bore children; not suitable for adolescents or for Sunday showing.



are 407. Of these, 225 have been delivered and 182 remain for delivery.

	Accounted	Delivered	To Be Delivered
Columbia .....	48	29	19
First National .....	30	16	14
Fox .....	44	29	15
MGM .....	50	16	34
Paramount .....	62	39	23
RKO .....	62	34	28
United Artists .....	12	11	1
Universal .....	35	16	19
Warner Bros. ....	35	18	17
World Wide—KBS ....	29	17	12
	407	225	182

How many independent pictures will be produced during the entire season is extremely difficult to determine; but as I realize that such information is of great importance to you on account of the probability of picture shortage as a result of double-feature practice of some exhibitors as well as the smaller number of pictures the major companies have scheduled for production, not to mention the possibility of "break-down" in some of the companies, I shall try in the two or three weeks that will follow to obtain whatever information is available so as to arrive at an approximate number. In the meantime, I would suggest to those of you who face a possible shortage to plan now to shut down during the latter half of June, the entire July and at least the first half of August, if not the entire month, so as to ease up your situation, in addition to effecting considerable saving from reducing your losses.

### AGAIN ABOUT THE MEDDLING OF OUTSIDERS IN THE DOUBLE- FEATURE CONTROVERSY

"A sweeping, comprehensive, direct-to-the-public survey of the 'double-feature' problem as an aid to the entire motion picture industry in arriving at a solution of this vital question," says a publicity story sent to the trade papers by the Hal Roach studios, "has been inaugurated by the Hal Roach Studios through the Hays organization.

"In conjunction with Mrs. Thomas G. Winter, associate director of public relations of the Hays office, seven hundred leaders of the Better Picture Movement, representing more than six million theatre patrons, are being canvassed to secure an unbiased expression of their views of the 'double-feature' problem. . . .

"The questionnaire as formulated by the Hal Roach Studios is as follows:

"1: Do you prefer patronizing the theatre showing double-features, namely two pictures, during one performance?

"2: Would you prefer a more diversified program, i.e., such as one good feature, supplemented by short comedy subjects, newsreels, etc.?

"3: What objections, if any, have you against the double-feature policy? We will appreciate a comprehensive summary of your opinion, and the general attitude of your membership."

Notice the manner in which the questions have been framed: No. 1 is such as to bring a "No!" answer. No. 2 calls for a "Yes!" answer in at least ninety-five cases out of each hundred. No. 3 calls for the registering of objections, for the false pride of the person to whom this question is submitted is touched—he has no other way out but object to double features.

The questions have been framed in a tricky way and are such as to cause embarrassment to those of the exhibitors who are showing two features on one bill. It is an unfair way of proceeding, in that it does not give the double-featured exhibitor a chance to be heard. He is thus condemned without a hearing, a procedure which is unethical, unfair, and altogether un-American. And the Hays organization has been guilty of abetting such mean propaganda.

As this paper said in the article that it printed in the February 25 issue, the double feature is an economical problem, and must be solved along economical lines. As long as the affiliated circuits continue clinging to the privilege of buying pictures at the run they want, and to impose upon subsequent exhibitors protection of a duration they choose, the double-feature evil will exist, particularly in situations where the circuits have reduced admission prices and are giving away premiums. Wrest from the circuits privilege and the double-feature problem is automatically solved.

### AGAIN ABOUT FOX SUBSTITUTIONS

What are your rights in the matter of substitutions by the Fox Film Corporation?

Under the heading **ADDITIONAL CLAUSES**, printed in red ink, the following clause appears on the face of the Fox contract, under the schedule:

"It is further understood and agreed that, except in such cases where a definite published book, or play, is designated in the schedule and/or in any work sheet and/or in any preliminary trade announcement or advertisement, the Distributor reserves the right to change the title, story, plot and/or the director of any photoplay contracted for hereunder, it being understood that all such designations, except for such published book, or play, are tentative and subject to change, without notice."

This clause means that, unless a picture sold is to be founded on a well known book, play or magazine story, Fox reserves the right to put a different story in its place, a different director to produce it, and a different cast to act in it.

Whether this clause can be sustained in a court of equity is a question. Personally I doubt it, for one party reserves certain rights without granting corresponding rights to the other party. But in the event that you refuse to play substitutions the matter has to be settled in a court of equity in case Fox insisted that you play or pay for a substitute picture.

"Handle With Care": In last week's editorial it was stated that this is not a star substitution in that James Dunn appears in it though Sally Eilers does not appear. In some contracts the Chaplin children and Mrs. Chaplin were to be featured. In such cases it is a star substitution. The substitution is to the detriment of the interests of the exhibitors, in that the picture would have undoubtedly drawn to the theatre ten times as many persons as will the picture with the present star. The contract holder paid, no doubt, more money for this picture, because of the Chaplin children, than he would have paid for it had it been stated that James Dunn was to be in it. For Fox, then, to insist that you accept this picture without some readjustment of the price is unjust and unfair. The fact that the Chaplin children have been barred from the picture by court order makes no difference so far as your interests are concerned, for the Fox Corporation was not under an obligation to produce it without them.

Since the Chaplin children may well be thought to be "stars," and James Dunn can hardly be expected to mean as much to a picture, I would class "Handle With Care" as a definite substitution.

### THE PRODUCERS ARE CONTRIBUTING TO THE PANIC

Mr. Abram F. Myers, general counsel of Allied States Association, has issued the following statement:

"Various industry leaders have pledged fealty to the new administration but I have received complaints from all sections that the film exchanges are contributing directly to the present panicky conditions by refusing to accept checks in payment of film rentals and are demanding cash or United States money orders, C. O. D., or in advance.

"In States operating under moratorium the producers are refusing to share the common lot, are sucking into the exchanges all available currency, are casting the entire burden on the theatres and the public, and are destroying confidence in the banking structure.

"This is unpatriotic and unfair and merits the condemnation of the Government officials who are striving so hard to restore confidence and avert a national catastrophe.

"State leaders are urged to take this matter up with the Governors, bank commissioners and other state officials and protest against the draining of all the available cash money into New York by these means."

Mr. Myers has also sent telegrams to the secretaries of the Treasury and of Commerce requesting their intercession to stop this practice.

The present state of mind of the people of this country reminds me of the ill-fated sinking of the French ship *Burgundy* more than three decades ago. Grown up men were trampling upon women and children to make the life boats. In the scramble many life boats were sunk and they lost their lives.

In the present case, everybody seems to be running to the banks to draw out whatever money he has so as not to be caught in the panic. But in so doing every one is contributing just to the condition he wishes to avoid.

Has reason fled the minds of men?



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, MARCH 18, 1933

No. 11

### THE CASE OF "SANCTUARY"

Recently the Paramount Pictures Corporation acquired the William Faulkner novel "Sanctuary" for production.

If you have read the book, you will know what it is. If you have not read it, let me say to you that, as far as I am concerned, I have never read a book so vile and low. It deals with degenerate characters, who resort to sexual perversion. There is not a single situation with even one high thought in it. The author himself admits in a prologue that he wrote this book with the sole object of making money.

When I read in the trade papers recently that George Raft was suspended by Paramount for refusing to take a part in "The Shame of Temple Drake," which is the new title of "Sanctuary," I decided to write to Mr. Zukor in an effort to dissuade him from making this picture. In doing so I felt that I was serving the interests, not only of Paramount, but of the entire industry.

The following correspondence has been exchanged between this office and Mr. Zukor:

February 18, 1933.

Mr. Adolph Zukor,  
Paramount-Publix Corp.,  
New York City.

Dear Mr. Zukor:

I have read in a Hollywood paper a news item to the effect that Mr. George Raft refuses to play in "The Story of Temple Drake" which is the new title of William Faulkner's "Sanctuary."

When I spoke to your Mr. Schaefer some time ago I was given the impression that the production of this book has been abandoned. My reading of this news item implying that you are going to produce it, therefore, was a great surprise.

I don't know whether you have read the book or not. If you have not you should read it. You will then realize how filthy and vile is its material for a moving picture. No one questions the value of the book as a literary piece of work, but as picture material it is altogether unsuitable. You cannot picture sexual perversion and degeneracy.

If you allow the making of this book into a picture I believe you will do the greatest harm to the motion picture industry that has ever been done in its entire history. Perhaps you will say that the plot of the book will be changed entirely so that nothing will be left of the original. Even if you were to do that the stench will remain.

I hope that you will take measures to stop the production of the book for the good, not only of Paramount, but of the entire motion picture industry.

Incidentally I believe that Mr. Raft has shown unusually good judgment and deserves the thanks of every sane-thinking element not only in the motion picture industry but in the entire United States.

Very sincerely yours,

P. S. HARRISON.

Copy sent to:

Richard Watts, Jr., Motion Picture Editor Herald-Tribune.

Dr. Fred Eastman, Chicago Theological Seminary.

Will H. Hays.

Harry B. Rutledge, ex-Secretary, National Editorial Association.

The Churchman.

The Presbyterian Magazine.

Arthur D. Hecox, Publisher of the Albany Evening News and Knickerbocker Press and President of the New York State Publishers Association.

L. B. Palmer, Managing Director American Newspaper Publishers Association.

Christian Science Monitor.

Abram F. Myers, Counsel of Allied States Association.  
Charles L. O'Reilly, President Theatre Owners Chamber of Commerce.

George Raft.

Dr. Worth Tippy, Federated Council of Churches.

\* \* \*

PARAMOUNT PICTURES DISTRIBUTING  
CORPORATION

Times Square, New York

February 23, 1933.

Mr. P. S. Harrison,  
HARRISON'S REPORTS,  
1440 Broadway,  
New York City.

Dear Mr. Harrison:

Your letter of the 18th instant relative to THE STORY OF TEMPLE DRAKE, addressed to Mr. Zukor, has been referred to me. I regret that you should have been prompted to send copies of it to others without first having communicated with us and making inquiries as to the facts. I am hopeful that you will share my regret in this regard when you see THE STORY OF TEMPLE DRAKE on the screen and that you will make suitable amends in due course for what I prefer to assume has been an impulsive act on your part.

Dr. James Wingate, formerly Chairman of the New York Censorship Board, approved the script which will be adhered to in the making of this picture. "Sexual perversion and degeneracy" are utterly and entirely absent from our script. It was, of course, never contemplated that they would ever be a part of the picture. The script is so free of objectionable features that, in the strict comprehensive sense, it is not SANCTUARY.

The finished picture and the public's reception of it will be the answer to the matter. I trust that all of us will view it without bias. Incidentally, Mr. Raft did not object to playing in this picture. He refused to play in this or any other picture unless he received a larger salary than that provided by his contract.

Copies of this letter are being sent to the identical recipients of the copies of your letter.

Very sincerely yours,

RUSSELL HOLMAN.

\* \* \*

March 9, 1933.

Mr. Adolph Zukor,  
Paramount-Publix Corporation,  
New York City.

Dear Mr. Zukor:

I wish to acknowledge receipt of your reply to my letter of February 18, signed by your Mr. Russell Holman.

You lay great stress on the fact that I sent copies of that letter to others without first communicating with you to get all the facts. Since the only facts needed by me were whether you were or were not going to produce that book, and since my information was accurate, no communication with you was necessary before sending copies of that letter to others. And I have not committed any breach of ethics either, for this matter is of great public interest and I feel that persons who have a great influence with the public ought to be familiar with such matters.

You say: "Dr. James Wingate, formerly Chairman of the New York Censorship Board, approved the script which will be adhered to in the making of this picture." Why should Dr. Wingate's approval of the script make it suitable for the American public? As far as I know Dr. Wingate does not possess purgatorial powers and his judgment, while Chairman of the New York State Commission, did



### "The Masquerader" with Ronald Colman and Elissa Landi

(United Artists, Rel. date not set; time, 78 min.)

An excellent dual-role melodrama; it has been handsomely produced and is superbly acted. Although the story at times is somewhat implausible, it holds the attention throughout, arousing much human interest, provoking comedy, and holding one in suspense. Since Colman, a poor relative but a man of fine character (hero), is forced to impersonate his cousin (villain—also played by Colman), a dissolute English lord, addicted to drugs, one is held on edge for fear lest the duplicity be discovered. Elissa Landi (heroine), wife of the villain, arouses much sympathy because of the humiliation she suffers when her husband flaunts his affair with another woman in her face. The hero is an extremely sympathetic character, winning one's respect by his fine behavior towards the heroine. The situations in which the hero is at a loss as to how to behave when he meets his "wife" for the first time arouse laughter.

In the development of the plot, the family servant of the villain pleads with the hero to take the place of the villain, whom he resembled, at home as well as at the Parliament, since England was very much in need of "him." Although fearful of the outcome the hero consents and while he impersonates his cousin, the servant keeps the villain in the hero's quarters. The villain is ill, insisting on large doses of drugs, and the hero is forced to continue with the masquerade. Eventually the villain dies and his servant, realizing what a fine character the hero possessed, inserts in the death certificate the hero's name. In that way the hero, with the consent of the heroine, who knew the truth and had fallen deeply in love with him, as he had with her, steps into his cousin's place forever, without any one else's knowing the difference.

The plot was adapted from the play by John Hunter Booth. It was directed by Richard Wallace. In the cast are Juliette Compton, David Torrence, Claude King, and others.

Not suitable for children, adolescents or for Sunday showing. Good for all types of adult audiences.

### "42nd Street" with Warner Baxter, Bebe Daniels and George Brent

(Warner Bros., Mar. 11; running time, 89 min.)

Excellent! It is a back-stage musical comedy, providing fine entertainment in the way of acting, music, dancing, and presentation. Although there is nothing novel in the story, it is presented realistically; one lives with the characters and understands what they are going through. All the heart-aches, comedy, and drama incidental to the production of a lavish musical comedy are shown, and since the action moves at a fast pace it holds the interest well throughout. The dance numbers are particularly effective, especially as performed by Ruby Keeler, a new-comer to the screen. Warner Baxter, as the stage director, acts with such realism that he makes the spectator share his moods. Good comedy is provided by Ginger Rogers, as one of the chorus girls, particularly when she uses an English accent and high-hats the other girls.

Guy Kibbee, a wealthy manufacturer, is infatuated with Bebe Daniels and agrees to sponsor a show in which she is to star. Warner Baxter is called in to direct. Bebe is in love with George Brent, an impoverished actor, and he is forced to stay away from her during the rehearsals of the show so as not to arouse Kibbee's suspicions. Ruby Keeler, one of the chorus girls, becomes friendly with Brent. The night before the opening of the show Bebe becomes intoxicated and throws Kibbee out of her room. She telephones for Brent to come over and just as he enters her room the producer sees him. Ruby had seen the occurrence and rushes to Bebe's room to warn her. Bebe is jealous because Brent and Ruby know each other and in her attempt to get at Ruby she slips and breaks her ankle. Everybody is heart-broken; it means the show cannot go on. Kibbee, however, had by this time formed an attachment for Ginger Rogers and suggests her for the lead. But Ginger realizes she is not good enough for it and tells them that Ruby would fit the part perfectly. Just a few hours before the show, Ruby is coached by Baxter until they are both exhausted. With tears in his eyes he tells her that everything depends on her. Just before she is to go on Bebe calls to see her to apologize and to wish her all the luck in the world. She tells Ruby that she is going to marry Brent. Ruby is a hit and the show is saved. She is united with Dick Powell, a member of the cast. Baxter is completely worn out.

The plot was adapted from the novel by Bradford Ropes, which has been cleaned up almost entirely. It was directed

by Lloyd Bacon. Others in the cast are Una Merkel, Ned Sparks, Allen Jenkins, George E. Stone and Edward J. Nugent.

Suitable for children, adolescents and for Sunday showing.

### "The Woman Accused" with Nancy Carroll, Cary Grant and John Halliday

(Paramount, Feb. 17; running time, 72 min.)

Just fair. It is somewhat illogical, and the story is unpleasant in that the heroine commits a murder. Even though one feels that it was justifiable homicide, yet it is difficult to sympathize with her. The situation in which she is trapped into a confession by the murdered man's law partner by means of a mock trial is fairly exciting. The hero is a sympathetic character for when he learns of the murder he does not leave the heroine; instead he seeks means to gain her freedom with.

In the development of the plot the heroine's former lover (villain) threatens to have the hero murdered unless the heroine went back to him, giving up the idea of marrying the hero. Unable to dissuade him from harming the hero, she murders him. She then leaves on a three day cruise with the hero. The dead man's law partner is convinced that the heroine had committed the murder and boards the boat to watch her. While everyone is making merry the lawyer suggests a mock trial and the heroine is put on the witness stand. By using the facts of the murder he forces a confession out of her and although the other people think it is all a joke the hero realizes it is the truth. Back in New York the heroine is brought to the District Attorney's office for questioning. But the hero breaks down the testimony of their chief witness, leaving them without a clue. The heroine is freed and she and the hero marry.

The plot was adapted from a story by Polan Banks. It was directed by Paul Sloane. In the cast are Irving Pichel, Louis Calhern, Norma Mitchell, Jack LaRue, Frank Sheridan, and others.

Not suitable for children, adolescents or for Sunday showing.

### "The Keyhole" with Kay Francis and George Brent

(Warner Bros., Mar. 25; running time, 68 min.)

A pretty good comedy-drama; it holds the interest throughout. Excellent comedy situations are brought about by the attempts of Glenda Farrell and Allen Jenkins to impress upon each other the fact that each was wealthy and came from a fine family, when, in reality, he was a cheap detective and she was working a racket. George Brent, as the hero, although enacting an unsympathetic role (that of a spy,) is never offensive and somehow holds one's respect. Much sympathy is felt for the heroine who is harassed by a blackmailing former lover, tempted by Brent, and suspected by her husband:—

Kay Francis, married to a millionaire, is told by a former husband that he had never divorced her as he had promised he would. He demands \$50,000. She tells the whole story to her sister-in-law who advises her to leave the country and procure a divorce from the first husband. She leaves on the trip but her husband, who is suspicious, engages Brent to trail her, not telling Brent she was his wife. Brent and Francis become acquainted and spend most of their time together. Her former husband had followed her on the trip, just as she had hoped he would, and since he was not an American citizen, her sister-in-law was arranging matters so that he would be refused re-entry into the United States. The sister-in-law is furious when her brother informs her what he had done. She tells him the whole story. Ashamed of his suspicions, he rushes by aeroplane to join his wife, and sends Brent a cable telling him so. In the meantime Francis tells Brent all about herself and he confesses what he had been doing, but swears that he loves her. The former husband calls at her room just as Brent is expecting the millionaire to arrive. By using threats he forces the man out of the room. In his attempt to escape by way of the balcony, the ex-husband falls to his death. When her husband arrives Francis tells him she is though with him and informs him further that she is in love with Brent. She remains with Brent.

The plot has been adapted from a story by Alice D. G. Miller. It was directed by Michael Curtiz. In the cast are Monroe Owsley, Helen Ware and Henry Kolker.

Suitable for children; not for adolescents or for Sunday showing.

Substitution Facts: In the contract 422 is listed as "Wm. Powell and Kay Francis." Since Powell does not appear in "The Keyhole" it is a star substitution.



### "Sailor's Luck" with James Dunn and Sally Eilers

(Fox, Mar. 10; running time, 78 min.)

A rough, boisterous, vulgar comedy; it may appeal to those audiences that like their comedy low and suggestive. Only one of the situations could be called clean fun, and that is where Sammy Cohen with two of his sailor friends go to a swimming pool to escape two irate tradesmen. Everybody eventually falls into the pool, provoking laughter. But even this is spoiled by the suggestiveness and unnecessary presence of an effeminate man. Not only is the dialogue inane, but at times it is suggestive, and the actions of the characters are mostly stupid. One unpleasant situation is where James Dunn takes Sally Eilers to a hotel room, expecting her to succumb to him. On different occasions when he is with her it is brought to the spectator's attention that he is too free with his hands. Also in the situations where Victor Jory is with Sally Eilers he, too, uses his hands too freely.

The story revolves around the hectic love affair of James Dunn, a sailor, and Sally Eilers. Just when they are to be married his ship pulls out and he is unable to let her know about their shoving off. Jory, owner of the boarding house at which she is stopping, pays her an uninvited call just as Dunn calls her from the port where they had docked. Jory purposely talks into the phone and Dunn believes Sally is unfaithful to him. When his ship returns he immediately calls on Sally and again his suspicions are aroused when he sees a man come out of her room. He refuses to listen to her explanation that the man was the father of a boy she had been looking after, and leaves in a furious temper. Disgusted, Sally enters a marathon dance run by Jory. Once there she is sorry. In the meantime Dunn finds out about Sally's innocence and follows her to the dance-hall. A free-for-all battle follows between sailors, friends of Dunn, and the gangsters. Sally and Dunn escape and are married.

The plot was adapted from a story by Marguerite Roberts and Charlotte Miller. It was directed by Raoul Walsh. In the cast are Frank Moran, Esther Muir, and others.

It will probably amuse children, who will not understand the suggestiveness; but it is not suitable for adolescents or for Sunday showing.

Substitution facts: This is replacing No. 18 listed on the contract as "Shanghai Madness," from the story by Frederick Hazlett Brennan. It is a story substitution.

### "Cohens and Kellys in Trouble" with George Sidney and Charles Murray

(Universal, Mar. 23; running time, 67 min.)

There are good comedy situations in this version of the Cohens and Kellys that should arouse much laughter. This time the comedy is brought about not so much by the bickering between Sidney and Murray as by the trouble they find themselves in when trying to evade two scheming women, one of whom (Jobyna Howland) had formerly been married to Murray and wanted unpaid alimony. The situation in which Sidney unwittingly brings Murray and his former wife together, and the things that Kelly says before he recognizes her, are quite funny. Other situations, such as the one in which they lead Howland to believe that Andy Devine is a millionaire when in reality he is a deck hand, and where she discovers after her marriage to Devine that he is not a millionaire, will evoke much laughter.

More laughter is provoked by the following situations: In order to escape the wrath of Howland, who was chasing them around the boat with a saber in her hands, Sidney and Murray fall into deeper trouble by running off in a boat filled with liquor. They are spotted by a police patrol boat and fired at. Their troubles are finally over when the patrol boat pulls up alongside of them, and they are joyfully greeted by Murray's daughter and her fiancé, a revenue agent, who had gone out in search of Sidney and Murray fearing they had been lost at sea. Although Murray does not like his daughter's fiancé he consents to the marriage so that charges will not be brought against him for having been aboard a rum boat.

The plot was adapted from a story by Homer Croy and Vernon Smith. It was directed by George Stevens. In the cast are Maureen O'Sullivan, Frank Albertson, Maude Fulton and Henry Armetta.

Suitable for children, adolescents and for Sunday showing.

If you should find a copy missing from your file of Harrison's Reports, write about it to this office; a duplicate copy will be sent to you by return mail without any charge.

### "The Constant Woman" with Conrad Nagel and Leila Hyams

(KBS Tiffany, Mar. 18; running time, 72 min.)

A fairly good entertainment. Some human interest is felt because of the heroine's devotion to the hero and his son, all of them arousing sympathy. Suspense is fairly sustained throughout since one fears that the son might find out the truth about his dead mother whom he had idolized. The closing scenes offer some excitement:—

The hero becomes disillusioned when, at his wife's death, he discovers that she had been unfaithful to him and that he was not the father of her son. He drinks and his travelling show goes into bankruptcy. The heroine, a member of the troupe, is in love with him and it is because of her pleading that he sobers down. They team up and do radio work which soon makes them popular. The boy is sent to a military school and when he visits them during a holiday they tell him they are going to be married. Resenting this because of his memories of his mother, he tells his father he will never forgive him if he marries the heroine. Heart-broken, the boy runs away and joins up with a friend's circus. The hero and the heroine follow him there and when they arrive at the circus grounds they find the tents in flames. The heroine rushes into a burning tent when told the boy is there. She finds him pinned under a wagon and vainly tries to drag him out. An escaped tiger pounces on her but the animal is shot by the owner, who had just entered the tent. The boy is saved and she is taken to the hospital. Realizing he had been unfair to her he begs for forgiveness and asks her to become his mother.

The plot was adapted from a story by Eugene O'Neill. It was directed by Victor Schertzinger. In the cast are Tommy Conlon, Claire Windsor, Stanley Fields, Alexander Carr and Fred Kohler.

Suitable for children since they will not understand about the mother's unfaithfulness; not suitable for adolescents or for Sunday showing.

### "Men Must Fight" with Diana Wynyard, Lewis Stone and Phillips Holmes

(MGM, Feb. 17; running time, 70½ min.)

This picture has been very well produced, but it is not exactly entertainment, since it concerns itself with preachers first against war, and then for war. Because of different opinions there is so much conflict between the characters that it becomes depressing. Whatever value it has is brought about by the excellent performance of Diana Wynyard, as the mother; one feels deep sympathy for her throughout. The situation in which she is told that her son is going to war, showing her protesting tearfully, will stir one's emotions. It is she who presents the pacifist's side, for she knows the uselessness of war, having been a nurse in France during the world conflict, seeing men dying, and even witnessing the death of her own lover:—

Diana Wynyard, a nurse, and Robert Young, an aviator, both stationed in France during the world war become lovers. She is also loved by Lewis Stone, an old friend and officer. When Young is killed Stone, realizing that Diana is going to have a baby, begs her to marry him, for he loves her and wants to give her baby a name. She does and their life together is a happy one. In time he becomes Secretary of State and both he and Diana give a great deal of their time and money for the cause of peace. He treats her son, Phillips Holmes, as his own and the boy does not suspect Stone is not his father. It is the year 1940. The United States are embroiled in war with Eurasia. Sticking to her ideals, in spite of her husband's objections, Diana begs the men not to fight, and for this she is mobbed. Phillips Holmes, believing as his mother does, refuses to enlist and it is then that Stone tells him he is not his father, that his own father was a brave man and that he is a coward. Phillip's fiancée, too, thinking him a coward, breaks her engagement. Eventually Holmes, not being able to bear everybody's scorn, enlists, even though his mother begs him not to. A reconciliation follows between him and his sweetheart and they are married. He goes off to war while his mother and wife tearfully bid him goodbye.

The plot was adapted from the play by Reginald Lawrence and S. K. Lauren. It was directed by Edgar Selwyn. In the cast are May Robson, Ruth Selwyn, Hedda Hopper, Donald Dillaway, Mary Carlisle and others.

Not suitable for adolescents or for Sunday showing. Children may not understand the relations of the heroine with her lover.

When the inside pages of your copy of Harrison's Reports are blank it is a misprint. Order a complete copy.



not, in my opinion, prove so infallible when the interests of the public were concerned. He passed on pictures which millions of American citizens considered demoralizing.

Your hope to convince me that, because of the alterations in the book material, the picture will be accepted by the decent part of the American public cannot hide the fact that you have selected this book, not because of the possibilities the material offers, but because of the sordid notoriety the book has attained as a result of the implication of degenerate practices in it. There isn't a single situation that can be pictured.

Don't you feel that you owe some consideration to those of exhibitors who have bought your product this season if not to the entire industry? You sold them a maximum of sixty-five pictures. There is nothing in the contract to indicate what sort of pictures you will deliver to them. They placed their trust in your judgment. Many of these exhibitors will not be able, and would not want, to show this picture. Don't you think that such a condition is unjust? You force them to do something that is against their own conscience and moral upbringing.

You say that Mr. Raft has refused to appear in this story, not because he objected to the material, but because he wanted more money. Since I am not familiar with this controversy, I am not in a position to express any further opinion. I congratulated Mr. Raft for his refusal to appear in it because I read an account of his praiseworthy act in the trade papers, which account your company has not denied in the press to this day. But even if your assertion were true, that is not the point at issue. The important point is that you are going to make a picture out of a book that no decent parent would want his children to read.

There was a time, Mr. Zukor, when you would, not only not accept such material, but discharge any one who would dare suggest it to you. Isn't there any of that old spirit left in you? Don't you realize the harm that you will do to this nation, not to mention the industry, by putting this book into a picture?

I doubt whether my appeal to you will induce you to change your mind about producing this book. The fact that you have changed the title, from "The Story of Temple Drake" to "The Shame of Temple Drake" is the best proof of it. Additional proof is offered by the fact that your company has acquired two of the dirtiest plays that have ever appeared on Broadway—"The Great Magoo" and "Design For Living."

Let me, however, warn you and the other producers who are similarly inclined, that the American people will not tolerate this condition of affairs much longer.

Very sincerely yours,

P. S. HARRISON.

\* \* \*

I tried to communicate with Mr. Raft for the purpose of finding out whether he has refused to appear in this picture only because he wanted more money and, having been unsuccessful, I wrote to a fellow-writer on the Coast, well informed in such matters, and have received the following reply:

"Paramount suspended George Raft because he refused to play in the picture that is to be founded on 'Sanctuary.' The part assigned him calls for him to go into a room where there is a young girl of about nineteen and a half-witted boy, to shoot the boy in cold blood, and then rape the girl. This is what is written in the script, which Mr. Zukor says has been passed by the representative of Mr. Hays.

"After reading the script, Mr. Raft refused to act in it and so he was suspended.

"You know, Pete, that 'Sanctuary' should never have been produced; but these distorted minds here can't see the harm that it will do.

"You are right in having complimented Raft for refusing to take a part in such a degrading material. The New York Journal has complimented him. And so have many trade papers.

"But what makes me wonder is Where is Hays?"

Mr. Hays just now is occupied in helping the bankrupt producers reduce the salaries of scrub women and janitors so that the banks may receive the interest due on their bonds.

### BLUNDERING PRODUCERS

Last week two meetings were held in the offices of Nicholas Schenck, of Metro-Goldwyn-Mayer and Loew's, Inc., for the purpose of making decisions for cutting fifty per cent of the salary of every one connected with the companies that are members of the Hays organization.

Every one present was in favor of a fifty per cent cut in

all branches, except Harold Franklin. Mr. Franklin pointed out to them the fact that the men connected with the theatre departments are the least paid; that their salaries have already been reduced to a dangerous point, and that another cut will bring their wages so low that they will not be able to make a living, with the result that their morale will be destroyed. He told them that destruction of the morale in the theatres will not work for the benefit of the industry, because, he said, pictures must be, after all, sold in the theatres; it is the theatre box office that enables the industry to carry on. But his fight went to naught, for every one was against him and he had to acquiesce.

Mr. Franklin was right. The average salary of the theatre managers is sixty dollars. Bringing this average down to thirty dollars cannot help destroying the morale of these men.

What this paper wants to know, however, is whether those who are receiving bonuses in addition to salaries will forego their bonuses this year or not. Nick Schenck, for example, received more than \$260,000 in 1931, and Bernstein, the treasurer, more than \$160,000. There are others. Now, if they are not going to give up their bonuses, then reduction in salaries will prove beneficial to them, for the bigger the cut the greater the profits; and the greater the profits the higher the bonuses.

### WATCH THE HAYS FORCES CROW

Dr. Mark A. May, of the Institute of Human Relations of Yale University, was one of the professors who made a research as to the effect the moving pictures exert on children. This research was carried on under the auspices of Motion Picture Research Council, consisting of professors from many universities, and of the Payne Fund.

The fellow-scientists of Dr. May refused to accept his findings on account of the fact that the methods he used in his work are not, in their opinion, of the best technique.

The volumes are being printed and are soon to be put in circulation. They contain also Dr. May's views, because the secretary of the Research Council did not want to be accused of being biased.

Watch the Hays organization crow when these volumes appear!

### IF YOU HAVE BOUGHT THE EDUCATIONAL SHORTS IN ORDER TO GET THE FEATURES!

An exhibitor has written me as follows:

"When we signed the contract for World Wide features we were compelled to take half of the shorts in order to secure the features. Now that Educational-World Wide has been taken over by Fox and the full number of features will not be delivered, we are at a loss to know whether we shall be obliged to run the number of shorts we had contracted for in the event that they are all released."

Legally a contract holder must carry out his contracts regardless of the diminished number of features World Wide will deliver; but morally he must be given a reduction of shorts in proportion to the number of fewer features that will be delivered.

According to the survey made in last week's HARRISON'S REPORTS, World Wide has delivered four instead of eleven and KBS Tiffany thirteen. If you have contracted for the combined product of the two companies, then the reduction of shorts you are morally entitled to is approximately one-third; but if you contracted only World Wide features, then the reduction you are entitled to should be more than one-half of the total number of shorts you contracted for.

But you should still demand a 33% reduction in your film rentals on account of the demoralization of business.

### DEMAND A 33% REDUCTION ON ALL CONTRACTS

For any producer to think that you can pay the film rentals specified on your contracts when these contracts were made at a time when no one could have foreseen the present conditions should be sent to a sanatorium to recuperate. Pictures are supposed to be valued at such a price that will enable a theatre owner to pay his bills, even though he may get along without a profit for a while. The present conditions are such that, if a theatre owner were to pay the prices stipulated in his contract, it would bankrupt him.

You should demand a reduction of at least 33 per cent.

Even with a reduction of this size many of you will find it difficult to carry on, for business in February was half of what it was in January and a decided improvement cannot be hoped for before fall.

This paper again suggests to you to form your plans now to shut down during June, July, and August.



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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No. 12

### THE WOULD-BE GIANTS HAD FEET OF CLAY

For several years; in fact, ever since I started HARRISON'S REPORTS, I have been trying to convince you that the so-called big men of the industry were, not only not big, but they lacked even the business acumen of the average business man. Many persons were considerably sceptical about such bold statements, and were inclined to take them with a liberal number of grains of salt. It took a depression to convince every one that my assertions of these years have been entirely accurate.

Since the day of the market crash not one of the leaders of the motion picture industry foresaw the present breakdown, not one of them took a single step to put his company on a foundation that would enable it to carry on when other companies crumbled. They lacked the necessary vision. They rode to success on the crest of the prosperity wave and when the wave receded they found themselves stranded on the shore like a ship, helpless.

Depression! Thou art the destroyer of unworthily gained reputations and the exposé of charlatanism! Thou hast stripped the incompetents of their pretensions of ability, the ignorants of their cloak of learning, the grafters of their opportunities to gather more shekels! But thou hast one saving characteristic: thou enablest the competents and the intelligent to come to their own!

I should like to print words of cheer for you. I should like to paint an encouraging picture about the condition of the moving picture industry. Unfortunately I am not justified so to do. If I did otherwise, the picture that I would present would not be true. Before there is any hope for the industry, the present leaders must be driven out. As long as they retain any authority whatever, there is no chance for a betterment. The prosperity of an industry depends on the quality of the articles it manufactures. The quality of the articles depends, in turn, on knowledge. How can the motion picture industry be successful, then, when its leaders have no conception whatever of what constitutes good picture material? They do not understand drama. They have no conception whatever of what is suitable picture material. They choose such material in the "She loves me; she loves me not" order—the hit-and-miss system. If the picture turns out successful, well and good; if not, it is just too bad—they will try again. In the meantime, millions have been poured into production, the greatest part of which has been wasted. The good pictures do not make enough profits to offset the losses caused by the poor picture.

They were successful three years ago and before because they were able to get all the money they needed from the bankers; by juggling and manipulating figures they were able to show profits to the bankers and by taking them on the top of a mountain and showing them the prospective huge profits, to whet their appetites for more profits. But that is all gone now: Since the day President Roosevelt stated in his speech that the bankers can no longer take the money of the depositors and gamble with it, the producers of motion pictures have been left on their own; and since they possess no ability whatever, there is but one outcome—failure. They will not, of course, give up the power willingly. That is why the industry must go through some more suffering. But they will eventually—soon, in fact,—be driven out of it. When they are no longer able to raise money to cover losses, they will have to get out.

It has been the experience in all big businesses that at first a big business is a racket, which eventually is put on a real business foundation by the working of the economic forces: the racketeers and the incompetents are driven out of it by the process of the survival of the fittest. The moving

picture business is now going just through such a purgatory. It will come out of it as a real business; things are so shaping themselves that those who have the ability and the knowledge will displace the incompetents and the non-intelligent. It will take a little more time before this happens, but it is coming fast.

### WHY ELIMINATE ONLY THE COAST OFFICE OF THE HAYS ORGANIZATION?

Information from the Coast has it that the producers are thinking about closing down the Hays office on the Coast.

Why only the Coast office? The entire organization should be shut down, not only because of the saving that would be effected, but also because of the fine impression that would be created among millions of Americans. The Hays policy of paying "honoraria" to some church people, to gain good will with, of misleading the churches into believing that, by his influence, the moral tone of the picture would improve when he knew that he could not keep such promises, as subsequent events proved (the pictures have kept getting worse every week), has done the greatest harm to the motion picture industry.

One other reason that should prompt the producers to shut down the Hays office is the fact that, during the present crisis, not one constructive thought has come from Will Hays to help those who employed him to avert the catastrophe. All he has been doing these months has been to devise means and ways by which he could save his fat job.

As said in another article in this issue, there is no longer room in the industry for non-productive persons; the industry can no longer support drones. Everybody has to work.

### LITTLE TO WORRY ABOUT

Under the heading "Mr. Katz in Production," Jay Emanuel, editor of the *Exhibitor*, deals with Sam Katz' star jumping activities on the Coast. "Sam Katz," he says ironically, "after demonstrating to the industry his keen perception and administrative ability in connection with his relations with Paramount-Publix, is now doing the industry another good turn by his Coast policies. Since his arrival in Hollywood nothing but rumors of star jumping were heard, with the bait of a strong percentage return."

After condemning the activities of Sam Katz and of his associates on the ground that they are using the percentage bait to lure stars away from the companies that made them, at a time when there is need for cutting down the cost of production and operation, Mr. Emanuel says:

"However, there is a happy token somewhere. If Katz directs his production policies as he contributed to Paramount's welfare, there would be little for exhibitors to worry about. . . ."

The policies which contributed to Paramount's downfall Mr. Emanuel hints about are those that induced Adolph Zukor to build a theatre empire. It is what broke Paramount and Zukor. Adolph Zukor listened to the voice of the siren and fell for it. He fell for it because that was one of his dreams—a dream that prompted him to disregard the promises he gave to the exhibitors in Minneapolis.

Sam Katz will, of course, do the industry much harm if he should go in for "star jumping," a policy which he seems to have adopted since the day when, having resigned from Paramount, he decided to strike out for himself. (I have been informed reliably that he has offered George



### **"Fast Workers" with John Gilbert, Robert Armstrong and Mae Clarke**

(MGM, March 17; running time, 66 min.)

Mediocre! The action is slow, the talk dirty and suggestive, and the behavior of the characters vile. The hero and his pal spend all of their spare time either drinking or with women. The heroine, a woman of the streets, is shown using her wiles on the hero's pal, making him believe she is innocent, and trapping him into marrying her. To make matters worse she is shown, after her marriage, going on a week-end trip with the hero. The action of the hero in giving her away to his pal is contemptible, and the subsequent attempt on the part of the pal to kill the hero is revolting. There are some comedy situations, but these are mostly of the vulgar type:—

The hero's pal, a riveter in building construction work, is an easy prey to the wiles of women and the hero, also a riveter, has his hands full rescuing him. But the pal eventually falls hard. This time the woman happens to be the hero's sweetie, a fact the pal is unaware of. The woman finds it very easy to fleece the pal of most of his savings by feigning sickness and even death in the family. They marry. After her marriage she goes with the hero on a week-end trip. When they return, the hero, realizing that he loves the woman, presents the pal with certain photographs showing him and her together. It is then when he learns that the two had been married. The pal, shocked and bewildered, conceives the diabolical plan of murdering the hero while they are at work, and of making the death appear accidental. He shoves the plank to a dangerous point and the hero drops several floors to the pavement below. He is taken to the hospital. The woman and the hero's pal quarrel; she had guessed that her husband had attempted to murder the hero and threatens to expose him to the police. At the hospital the pal is told that the hero will live. The hero orders the woman out of the room and renews his friendship with the pal.

The story is by John W. McDermott; the direction by Tod Browning. Muriel Kirkland, Vince Barnett, Virginia Cherrill, Sterling Holloway are in the cast.

Unsuitable for children, adolescents, and for Sundays.

### **"Mussolini Speaks"**

(Columbia, release date not set; time, 73½ min.)

This is a compilation of newsreel shots showing the career of Mussolini and the growth of Fascism in Italy up to the present day. It is pure propaganda in favor of Mussolini and should prove of great interest to the followers of the cause. To audiences not interested in the progress of Fascism, however, this picture may prove dull.

Lowell Thomas describes and interprets what is being said in Italian and explains what is done. Beginning with the youthful days of Mussolini, he talks on the scenes of rioting by Socialists, of which party Mussolini was a member, and he points to the fact that Mussolini had been arrested eleven times. Then he tells that Mussolini was editor of a Socialist paper, and that, at the outbreak of the war, he deserted his party, becoming a soldier; he was decorated for bravery.

The interesting part of the picture shows Mussolini with his black-shirts on their march to see the King, to take over the government.

In a speech before a great mass of people, Mussolini describes what has been accomplished from the day he became dictator. With accompanying shots, he describes in Italian, translated by Mr. Thomas in English, how they have progressed—built factories, paved roads, restored works of art, constructed huge electrical power plants, filled up swamp land making it excellent ground for planting, put people to work in the fields, erected new houses with modern plumbing, restored a ruined town, which had been destroyed by a volcano, in just a short time, making it more livable and sanitary for the people.

The audience at the Palace Theatre where I reviewed the picture, comprised mostly of Italians, showed enthusiasm, applauding and cheering at many of the things Mussolini said.

### **"Secrets" with Mary Pickford and Leslie Howard**

(United Artists, April 16; time, 81 min.)

Fair entertainment. The opening scenes, which depict the romance between the hero and the heroine, are both charming and humorous. The scenes that follow, showing their struggle for a livelihood, their encounters with cattle rustlers, and the death of their baby, are fairly dramatic;

one feels sympathy for both the hero and the heroine. The situation that shows the death of the baby and the heroine's grief is heart-rending. It should not have been shown—the death of a baby is not entertaining. Then suddenly, in the closing scenes, without any previous suggestion, it is brought out that the hero had been unfaithful to the heroine. This comes as an unpleasant shock, and is entirely out of keeping with the story since throughout it is shown that the hero and the heroine are very much in love with each other:—

The heroine, daughter of a wealthy New Englander, refuses to marry an English lord, in accordance with the arrangements of her parents. She falls in love with the hero, a clerk in her father's office. They elope and set out for the West to make their fortune. They encounter many difficulties, particularly with cattle rustlers. One night, during an attack by these rustlers, their baby dies. But their love for each other is so great that they overcome everything and the years bring them success. They have four children, and the hero is nominated for Governor. It is suddenly brought to light that the hero had been having promiscuous affairs, and his career was in danger. But the heroine, knowing of all his affairs, forgives him and stands by him. He is elected. When they are old they run away from their children, wanting to live their remaining years alone.

The plot was adapted from a play by Rudolf Besier and May Edington. It was directed by Frank Borzage. In the cast are C. Aubrey Smith, Blanche Frederici, Doris Lloyd, Herbert Evans, Ned Sparks, Allan Sears and Mona Maris.

Because of the hero's unfaithfulness it is unsuitable for children, adolescents or for Sunday showing. The story lacks originality and since it is a period play its commercial value is very small.

### **"After the Ball" with Esther Ralston and Basil Rathbone**

(Fox-Gaumont, March 17; running time, 68 min.)

Very dirty, and slow in action. And the story is trite. What the characters say or imply would make some of the dirty American pictures blush. For instance, Rathbone boasts of his experiences with women and a friend, whom he had called from an apartment of one of his flames, asks him if he was in bed yet; Rathbone replies that he is not yet but hopes to be soon. And this is a mild case. Throughout, the talk revolves around affairs with women, and the remarks are either suggestive or downright vulgar. The picture has been produced in England; it gives one the belief that the English are trying to outdo the Americans in vulgarity.

The action unfolds in Geneva, and revolves around the secretary of the British representative to the League of Nations, and the king's messenger (hero), who had been entrusted with important government documents, delayed on the train because of an affair with a woman. The hero is attracted by the beauty of the secretary's wife and attempts to make her capitulate to him, but he is unsuccessful.

The story is by J. O. C. Orton; the direction, by Milton Rosmer. In the cast are Jean Adrienne and Clifford Heatherly.

Not suitable for children, adolescents, or for Sunday showing.

NOTE: It cannot be pinned down as a substitution.

### **"Treason" with Buck Jones**

(Columbia, Feb. 10; running time, 61½ min.)

"Treason" maintains the average quality of the other Buck Jones pictures.

This time the action unfolds in 1870, and deals with those discontented Southerners who tried to set up a Republic in Kansas. So many crimes had been committed that the hero, a famous scout, is sent for. He learns that the malcontents were led by a woman (heroine). By a ruse, the hero becomes acquainted with her, and gains her confidence. Thus he is invited to her lair. In a short time he finds out that the crimes had been inspired by her lieutenant, and that she was really a noble character. By another ruse, he leads her away from headquarters, makes her his prisoner, and takes her to the military command. Despite his able defense of her, the tribunal finds her guilty and sentences her to hang. But the hero, by fast riding, reaches the governor and obtains a pardon for her.

The story is by Gordon Battle; the direction, by George B. Seitz. Shirley Grey plays opposite Mr. Jones. Robert Ellis, Ed. Le Saint, Frank Lacten and others are in it.

Suitable for children and adolescents. Good for a Sunday show for those who show Westerns on Sundays.



**"Christopher Strong" with Katharine Hepburn, Colin Clive and Billie Burke**

(RKO, March 31; running time, 77 min.)

Despite the lavish production and the good acting by the entire cast, particularly by Katharine Hepburn, this emerges as just fair entertainment. It may appeal to better class audiences, for the characters involved belong to English society. But it is not entertainment for the masses. For one thing, the action is slow; for another, both the hero and the heroine are unsympathetic characters. Their actions tend to hurt an innocent person, the hero's wife, for whom one feels much sympathy. For that reason, the affair between the hero and the heroine cannot be followed with interest; it cannot be excused, for up to the time of the meeting of the hero and the heroine, the hero and his wife had been devoted to each other. There is no emotional appeal at all:—

At a party given by the hero's sister, the hero meets the heroine, both of them belonging to English society. She is a world renowned aviatrix who had had no time for men or affairs, and he, married for twenty years, was faithful to his wife, whom he loves, and was affectionate towards his grown daughter. But in time the attraction they had for each other turns into love. In order to escape from him the heroine flies off on a round-the-world trip. But they meet again in New York and as they realize they cannot live without each other, they enter into an affair. Back in England the affair continues, bringing much sorrow to the hero's wife, who loves him dearly. The heroine realizes that she is going to have a baby. Knowing that the hero's married daughter, too, is to become a mother, and not wanting to bring sorrow or shame to his family, she decides to kill herself. She goes up in an aeroplane and when she reaches a great height she removes the oxygen mask. She loses control, and the machine falls to the ground. A monument is erected to her for her courage and daring in aviation.

The plot was adapted from the novel by Gilbert Frankau. It was directed by Dorothy Arzner. In the cast are Helen Chandler, Ralph Forbes, Jack LaRue, Irene Brown, and others.

Not suitable for children, adolescents or for Sunday showing.

**"Love In Morocco" with Rex Ingram**

(Gaumont Pictures; running time, 74½ min.)

Mediocre! The best part of the picture is the scenic background, that of the Atlas Mountains in North Africa, for the story itself is trite, moves slowly, and does not hold the interest. In addition the dialogue is inane. The different scenes that show the French troops and the Arab bands on horseback, and the attack by the Arabs on the fortress, are fairly exciting. Not even the romance between the hero and the heroine arouses interest, because it does not seem realistic:—

The heroine, daughter of a Caid, falls in love with her brother's pal, a French officer. This is forbidden by her religion but she meets him secretly. When the brother hears of the affair his first thought is to kill the hero; but when the hero tells him how he feels about the girl he changes his mind. The fortress at which they are staying is attacked by a rival tribe; things look bad for the hero until he receives help from his Commander with additional troops. The hero's pal and his father, the Caid, forgive the hero and grant his wish to marry the heroine.

Rex Ingram and Benno Vigny wrote the story, and Rex Ingram directed it. In the European cast are Felipe Montes, Rosita Garcia, Pierre Batchoff, Arabella Fields, and others.

Suitable for children, adolescents and for Sunday showing.

**"King Kong" with Robert Armstrong, Fay Wray and Bruce Cabot**

(RKO., Rel. date not yet set; time, 98 min.)

An exciting, fantastic horror-melodrama. The thrills one will feel will be derived more from the amazing photography than from the story itself. King Kong is supposed to be a prehistoric ape, fifty feet tall, and the scenes showing him breaking down trees and everything in his way will give one shudders, particularly when he grabs people and tosses them into the air, and either tramples on them when they fall, or throws them down a ravine. The situations that show this ape battling with other huge prehistoric animals seem so realistic that one is excited as one would

be if the animals were real. Suspense is sustained throughout because of the danger to the heroine who had attracted the ape. The closing scenes provide much excitement, particularly when the ape is seen dangling from the top of the Empire State Building with the heroine in his hand:—

A motion picture director sets out for a mysterious island to use it as the locale for his picture. While on his way there, the heroine, leading lady, and the hero, mate of the ship, fall in love with each other. When they arrive at the island the natives force them to go back to their ship since they were in the midst of a ceremony to honor their god, a beast. During the night they kidnap the heroine from the boat and tie her to a stake—as a gift to their god, a fifty foot ape. The ape takes her in his hand and sets off with her. The director, the hero, and other members of the crew set out to rescue her. They encounter huge animals, and most of them are killed. The hero goes on in his search and the director turns back for more help. Finally he comes upon the ape and the heroine, and while the ape is fighting with another animal, which wanted to take her, the hero escapes with her. The ape follows them but is captured and taken to New York. He is chained and exhibited to the public. Suddenly he recognizes the heroine and goes wild. He breaks his chains and, climbing up the wall of the hotel, where she had taken refuge, grabs her. He tears down an elevated structure, kills people and then climbs to the top of the Empire State Building with her. Government aeroplanes fly to the scene and kill him with machine guns. The heroine is united with the hero.

The story is by Merian C. Cooper and Edgar Wallace. The direction by Ernest B. Schoedsack and Merian C. Cooper. In the cast are Frank Reicher, Sam Hardy, Noble Johnson, James Flavin and others.

Children will be terrified; suitable for adolescents and for Sundays.

**"Be Mine Tonight"**

(Universal-Gaumont, March 23; time, 77 min.)

Excellent! Although an English production with a foreign cast, it offers audiences a real treat, for many reasons: it has unusually good music, which is sung by a European tenor with a magnificent voice and a pleasing personality; fine, clean comedy situations; a good story; the beautiful scenery of Switzerland as its background, and an air of wholesomeness that comes as a pleasant relief from the general run of pictures. The music does not interfere with the action; it is woven clearly into the story, and for that reason the rendering of the operatic arias and the other songs by the tenor should appeal to all. The picture leaves one with a feeling of relaxation and of happiness:—

The hero, a famous operatic tenor, is tired of his domineering woman manager and of her method of keeping him booked for engagements without any time for rest. On their way to fill engagements, he escapes from her and takes a train to Switzerland. On the train he meets a genial man and they become friends. They engage rooms at the same hotel. Word soon spreads that the famous tenor is at the hotel and soon photographers, newspaper men, and a delegation headed by the Mayor, arrive. But they mistake the companion for the hero and this gives the hero an idea: He induces his friend to impersonate him, and he goes off in his car for a jaunt. On the road he meets the heroine driving her car, and although he follows her she soon gets away from him. The companion, who is really a crook, when he hears that the chief of detectives is at the hotel, accepts the Mayor's invitation to live at his home. The hero follows him there and to his surprise the door is opened by the heroine; she is Mayor's adopted daughter. She knows that the hero is the tenor and not the secretary of the imposter, and she plays many tricks on him. The hero, who had been using his companion's name, is arrested and when he tells them he is really the tenor they do not believe him. He insists and they, to test him, force him to sing. When he finishes all realize the mistake they had made and are apologetic. He sings for the town at a benefit performance of an opera. The heroine had arranged to disgrace him for having tried to fool her, by making her girl friends use a whistle at the end of the aria. But the music is so beautiful that they all forget about their little plot. The heroine is happy and she is united with the hero.

The plot was adapted from a story by I. V. Cube and A. Joseph. It was directed by Anatol Litwak. In the all foreign cast are Kiepora, the tenor, Sonnie Hale, his companion, Magda Schneider, the heroine, and Edmund Gwenn, Athene Seyler, Betty Chester, Aubrey Mather.

Good for children, adolescents and for Sunday showing.



Raft \$25,000 per picture.) But his activities will not, in my opinion, last very long. There is no room in the industry for such policies and for persons who undertake to produce pictures without the knowledge of the fundamentals of picture production. These fundamentals are: ability to understand what is suitable story material, and capacity to put such material into pictures at the lowest cost possible consistent with quality output.

As far as knowledge of drama is concerned, my opinion is that he has none. As far as executive ability is concerned, all I can say is that, in my opinion, his theatre acquisition and later his theatre conducting policies, has brought Paramount to the present position.

### DOES THIS ADVERTISEMENT COMPLY WITH THE HAYS CODE OF ETHICS?

The following lines appear in a Paramount advertisement of "Shame of Temple Drake," inserted in the trade papers: "A Love Story Understandable to Every Woman . . . This Girl . . . Frail . . . Troubled . . . Whether to Give Herself to Save Her Soul, or Give Her Soul to Save Herself . . . Pulsing With All the Emotional Power of 'A Farewell to Arms.'"

And Mr. Zukor told me that the script of "Shame of Temple Drake," the new title of "The Story of Temple Drake," founded on William Faulkner's "Sanctuary," has been "purified." And the evidence of it is, he asserts, the fact that it has been approved by Dr. Wingate, formerly Chief of the New York State Censorship Commission, now a fatly remunerated employee of the Hays organization.

I wish I had the power to force every one of those who think that a picture cannot be entertaining unless there is dirt in it to see the British picture "Be Mine Tonight," released by Universal. There is not a single situation where dirt is even implied. And yet, in my picture-reviewing career, I have not felt so much pleasure, so much thrill, as I felt when I was looking at this picture. And the story is very simple.

### CATHOLICS ARE ASKED TO BOYCOTT PICTURE THEATRES

Reverend Henry F. Hammer, in a vesper conference at the St. Patrick's Cathedral, Sunday afternoon, two weeks ago, stated that the motion picture industry is destructive to Catholic idealism. "Motion pictures could be high and noble entertainment, a potent factor in education and relaxation after hard labor," he said, "but instead they present scenes inspired by bad, low, sinful, immoral and degrading thoughts. . .

"If your grocer sells you merchandise that dissatisfies you, you promptly return it to him and threaten to buy elsewhere. Since the motion picture industry is primarily a business, the only way you can achieve better and cleaner entertainment is to decrease the attendance. A materialist can always be reached through his pocketbook, and motion picture producers are materialists. . .

"The laity can accomplish the cleaning of the screen in two ways. One is by direct boycott, letters to the managers of picture houses refusing to patronize un-Christian, un-Catholic films, and the other is by devotional prayer."

Father Hammer made it plain in his sermon that, since the neighborhood film theatre is the centre of recreational life, it is an obvious place to begin putting on pressure.

Let now the Hays's and the Milliken's and the Herron's and the Du Bra's, and their Better Films Organizations, offset the harm that will be done by the attitude of the Catholic Church towards moving picture theatres. Twenty-two million Catholics will obey the suggestions of the Reverend Henry F. Hammer and those of them who live in your neighborhood will keep away from your theatre. Thus you will be made to suffer for something over which you have no control.

The Catholic Church has been very tolerant towards moving pictures. Up to this time very few Catholic Clergymen have spoken against the dirt that is dragged into the pictures by the ear. But, judging by the late outbursts of several among them, one is led to believe that their patience has been exhausted and that from now on they will join the other forces that have been trying to bring about the cleansing of the screen; and since there has been no radical change in the production personell, and since the minds of these are still what they were, we can expect no improvement in the moral tone of the pictures. You will thus see your customers dwindle to nothing. You cannot expect the

American people to continue their apathy when the producers are becoming bolder every day. It is getting to a point where parents do not allow their children to go to the picture theatres at all, and themselves are compelled to stay away, for fear that, if they go, they will have to take their children along.

I am writing the Reverend Henry F. Hammer informing him of the fact that you are helpless as to the quality of pictures you show, and that the place to begin is at the studios; and since the producers will not change their views, it will be necessary for the Catholic Church to join us in our campaign for the enactment of a bill such as S. 3770 into a law.

Call on every minister and priest in your town or your neighborhood, make it clear to him that you are not responsible for the dirt that is being produced, and give him to understand that you are merely a victim of the moving picture producers.

### A CORRECTION

In the review of the Warner Bros. pictures "42nd Street" and "The Keyhole," I stated in the footnotes that these two pictures are suitable for children.

Most of the dirty jokes in "Forty-Second Street" are put over cleverly; so children and adolescents will not understand them. But there is one wisecrack (about the flagpole) that is too vile to go unnoticed by adults. This joke does not help the picture at all except with dirty minds. Warner Bros. should do well to cut this dirty expression out.

In reference to "The Keyhole," there is a scene in the beginning showing men coming out of the different rooms in a hotel, frightened, because they were told by the hero over the telephone that the hotel was about to be raided. They were in the rooms with married women.

Children may not understand this, but most adolescents will; and since many of you are careful not to show pictures with such doings I thought of informing you of it.

Let me make a comment also on another picture, "Sailor's Luck," Fox. This one, too, has a joke that is, I believe, one of the dirtiest heard. I am referring to the "crack" about Chinese "Street Cars" running horizontally. I can say no more—see the picture for yourself. The picture reeks with sex, particularly in the situation where Dunn, who had engaged a room for Eilers in a hotel, is shown testing the bed springs; also a later scene where Jory runs his "paw" down Eiler's back, stopping it over the waist.

### A REASON WHY PEOPLE STAY AWAY FROM PICTURES

In the review of the Columbia picture "So This is Africa," which appeared in the February 25 issue of HARRISON'S REPORTS, as well as in the editorial that appeared in the issue of the week that followed, I stated that for vileness, vulgarity and coarseness, the screen had not seen a similar picture up to that time. In the review I deplored the fact particularly because Wheeler and Woolsey had always appeared in pictures which were more or less clean and that people who detest vulgarity and coarseness in films would be attracted by this picture out of a belief that it was of the caliber of the other pictures of these stars.

In the St. Louis *Post-Dispatch*, of March 12, Nie, the columnist of "The Week's New Films," expressed himself as follows about this picture under the subheading, "Jungle Dirt":

"Offhand, without trying to be unfair to some of the other Hollywood output, we would venture the opinion that 'So This is Africa,' at the Missouri, is the world's dirtiest picture. Unfortunately so, too, for Wheeler and Woolsey, the stars, are prime factors with the younger cinema customers, and a lot of them will be attracted to the theatre by the names. Some of the smut will be over their heads, but a lot of it will register unless the censors get busy today. The story, a satire on Africa hunt films, is certainly funny, and many of the obscene gags are very laughable—but don't take your wife."

Yet when a star revolts and refuses to take part in such material, the producers, with the blessing of Mr. Hays—the man who was employed by the producers to assure the churches that everything is hotsy-totsy with pictures—suspend him, and moreover they make it impossible for him to obtain employment with some other company. Any wonder, then, that people have stopped going to the picture theatres?



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No. 13

## An Open Letter to U. S. Senator Pat Harrison

Honorable Pat Harrison  
Chairman Senate Finance Committee  
United States Senate  
Washington, D. C.

My dear Senator Harrison:

On January 7, 1922, you, prompted by the newspaper accounts that Will H. Hays, Postmaster General of President Harding's Cabinet, had been engaged by the motion picture producers at a high salary to head their trade organization, made a speech in the Senate in which you said the following:

"Mr. President, . . . If the United States Steel Corporation or the American Woolen Company should come to Washington and make an offer of one hundred or one hundred and fifty thousand dollars a year to one of the Cabinet members to direct its policies, and he should accept it, not only would the person accepting it be condemned, but the administration to which he belonged would be reprimanded. . . . Now, why is Mr. Hays selected by the motion-picture industry to be its policy director and to receive therefor such a fabulous sum? What is the purpose of the motion-picture industry in making him this tender and entering into a contract for that sum?"

"Is it because he is close to the 'powers that be'? Is it because he to-day controls the mails and four or five hundred thousand post-offices throughout the country? Is it because he has the ear of the President of the United States, and sits in the family circle determining administration policies?"

"I know not what influenced the motion-picture industry, after scanning the whole country, to choose as the most qualified man in it for its head the present Postmaster General.

"Accept? Why, of course he is going to accept. He is now receiving \$12,000 a year. It is to be increased through this offer, as some say, \$138,000 a year. (Editor's Note: Three years afterwards Mr. Hays made a new contract, at \$260,000 a year. It has been reduced recently because of the depression.) I imagine that they are not offering it because they want the Postmaster General to play as a motion-picture star and show himself on the screen with Doug. Fairbanks, or Fatty Arbuckle or Mary Pickford. I have never heard of his talents along that line. They have chosen him because they think he can do their work.

"It is not because of any exceptional ability along business lines that the Postmaster General may have shown in the past. It is not because they think he can exert more influence than anyone else in the United States in elevating the motion-picture industry to a higher standard of morals. No, Mr. President, those are not the reasons that have prompted the motion-picture industry to make the very tempting offer to Mr. Hays.

"More significance attaches to the offer being made to the Postmaster General than it would be to any other Cabinet officer. It would be wrong, and should be condemned, if it were made to Mr. Hughes or to Mr. Weeks or to any other of the Cabinet members; but more so to Mr. Hays. He is the politician of the President's Cabinet. He came into prominence because of his qualifications as an organizer and an astute politician of rare force and energy. He is the late Chairman of the Republican national committee; and it was under him that the Republicans obtained control of the House and Senate three years ago. . . .

"Mr. President, I believe that the motion-picture people are taking a false step. They are deceived. Their movement is prompted by bad advice. If Mr. Hays wants to resign his place because of the small salary that is coming to him, in order to take this very remunerative offer, that

is all right. That is a matter for Mr. Hays to decide; but when the motion-picture industry attempts to procure as its head the biggest politician in the Republican Party, we on this side must look upon it with suspicion.

"I know the adroitness of this man. I know that he is smart and he is a good organizer; but as one of the minority party who has very much desired to see the motion-picture industry kept out of politics and exert its influence for high morals and good government, I regret to see it employ a man who, they think, can control the Republican majority in the Senate and the House, and the administration in the White House and thereby obtain favorable legislation. May I suggest to this great industry that the party in power is of short duration, and so far as the House is concerned you will have need to get rid of Mr. Hays after the coming election?"

"I am not unmindful of the fact that Hays when he came in as Postmaster General removed and condemned censorship.

"As an official, he may have thought that was a correct policy; but I am a little fearful, if he becomes the head of the great motion-picture industry, that he will believe in employing a censorship against the Democratic Party. . .

"... If they think that Mr. Hays can be of great force and influence down in some States or over in some States or up in some States that are controlled by Democratic legislatures in preventing censorship they are mistaken. This man has not the influence that the motion-picture industry thinks he has. Why, you Senators are sore at him because he has winked at civil-service requirements in the selection of postmasters. There is a big howl at the cloakroom at the other end of the Capital over the way he is selecting postmasters. . . .

"Mr. President, I have nothing more to say about this matter now. I had hoped that this great industry, which we are all glad has developed and has succeeded so well and which when conducted on high moral ground and free from politics, rendered a high source of amusement, education, and service to the people, would continue aloof from politics. I am sorry to see them now begin to enter the Cabinet and procure one of the Cabinet members and ex-chairman of the Republican campaign committee to mold and direct its policies. If this is the beginning of any such policy, then I serve notice that we watch their step and see to it that the public opinion will rise up and disapprove such methods."

Eleven memorable years have gone by since you made that speech and almost every one of your statements about the mistake the motion picture industry was making has been borne out by the facts, for during all these years Mr. Hays has used his influence for the advancement of the interests of the Republican Party. During the pre-election campaigning of 1928 for President, some of the New York theatres, owned by members of his organization, showed on their screens five newsreel scenes of the Republican candidate to one of the Democratic, and some of them had eliminated all scenes of the Democratic candidate. It is hardly necessary for me to say to you what part he played in last year's election: I do not know what decisions were taken at the meetings of Republican party leaders in which Mr. Hays was present, but I do know, because it has been printed in newspapers, that he was drafted by the Republican leaders to go to Indiana to save the political fortunes of ex-Senator Watson.

During his regime as head of the trade organization of the moving picture producers, District Court Judge Thacher found the members of his organization guilty of having violated the Sherman Act; he was upheld by the U. S. Supreme Court in a unanimous decision. And yet  
(Continued on last page)



### "Oliver Twist" with Dickie Moore, William Boyd and Irving Pichel

(Monogram, Mar. 1; running time, 71 min.)

Readers of the famous Dickens novel will find much enjoyment in the unfolding of the story, for it has been produced well and has been photographed in the costumes and settings of the period described in the novel, thus bringing to life the picture as formed in one's mind. Much sympathy is felt for Dickie Moore, as Oliver. This is particularly so in the situation where he is found by the crooks and taken from the fine home to which he had been taken to help them rob it. Sympathy, too, is felt for Doris Lloyd, who, although the wife of the gang leader, was very much attached to Dickie Moore and bemoaned the fact that he was in such bad company, even risking her life to free him from the gang's clutches. Suspense is well sustained throughout because of the murderous nature of the two chief criminals, and their desire to make a criminal of Dickie:—

When his mother dies Dickie is taken to a charity home. Not being able to stand the cruelty of the people at the head of the institution he runs away. Tired and hungry he accepts the invitation of a young man to go to a friend's home, which is none other than that of a criminal, who trained young men in the art of stealing. Making him believe that it is a game, the criminal teaches Dickie to pick pockets and then sends him out with two boys. They pick a man's pockets and Dickie, realizing what they were doing, is frightened. He is caught, although he had no hand in the robbery. But the old gentleman who had been robbed feels sympathy for Oliver and takes him to his home. Fearing lest Oliver give them away the gang go out in search of him and one day they find him while he is on an errand. They take him back to the criminal's rooms and arrange to use him that night in robbing the very home of his benefactor. Dickie is put through a window and is ordered to open the door. Just then the old man and his servant come down and shoot and wound Dickie. The wife of the leader of the gang is discovered giving information to the old man. For this the leader kills her. The gang is rounded up and the trainer put into prison; he turns over a ring belonging to Dickie and from the inscription in the ring the benefactor learns that Dickie is the child of his own daughter who had eloped and had never been heard from. Dickie recovers from his wound, much to the joy of his grandfather.

The picture was directed by William Cowen. In the cast are Barbara Kent, Alec B. Francis, George K. Arthur, Clyde Cook, and others.

Good for children and for Sunday showing. Excellent for adolescents.

### "Murders in the Zoo" with Lionel Atwill and Charlie Ruggles

(Paramount, Mar. 31; running time, 60 min.)

A gruesome horror melodrama, the kind that should entertain the followers of such pictures. The gruesomeness is brought about by the horrible means Lionel Atwill (villain) uses to kill his victims. At the beginning he is shown sewing up a man's mouth because the man had attempted to kiss his wife; then he leaves the man alone in the jungle. He kills his next victim with the venom of a snake. And then he coolly feeds his wife to crocodiles. His next attempt, which is to kill Randolph Scott (the hero), is foiled by Gail Patrick (heroine), who administers an anti-toxin to Scott and saves him. Comedy is supplied by Charlie Ruggles, press agent for the zoo. The situation in which he finds himself in a cage with a poisonous reptile is exciting and funny; but it is spoiled by the dirty remark he makes when he is rescued. (He asks if there is a laundry in town.) As is usual in such pictures, the audience is held in tense suspense, not knowing what the villain will do next. The closing scenes are horrible and yet gripping; they show Atwill meeting his death when a huge reptile folded itself around him, crushing him:—

Atwill, married to Kathleen Burke, is insanely jealous if any other man looked at her. On his return from a trip in the jungle, where he had gone to bring back animals for the public zoo of which he was a patron, he plans to kill an admirer of his wife's. The zoo is in need of money and it is arranged that a dinner be held at the zoo for the wealthy people of the town. Atwill sits opposite the admirer. Suddenly the man yells and faints. He is rushed to a room and it is thought he had been bitten by a poisonous snake, which had been missing from its glass cage. He

dies. Once home Atwill's wife accuses him of killing the man. She finds the evidence and rushes to the zoo to see Scott. Atwill follows her and throws her to the crocodiles. The snake is found and upon examination Scott finds the man was not killed by that snake. He suspects Atwill and telephones him to call to see him. Atwill, realizing that Scott knows too much, attempts to kill him by injecting poison with a snake's head, just as he did with the other man. Gail Patrick, Scott's sweetheart, administers an anti-toxin and saves him. She telephones for the police. Atwill, in his attempt to escape, runs into a room in which a huge reptile is kept. The reptile strikes out at him and then coils itself around him, killing him.

The plot was adapted from a story by Philip Wylie and Seton I. Miller. It was directed by Edward Sutherland. In the cast are John Lodge, Harry Beresford and Edward McWade.

Too gruesome for children and many adolescents; suitable for Sundays if you care to show a picture of this kind on such a day.

### "Girl Missing" with Ben Lyon, Mary Brian and Glenda Farrell

(Warner Bros., Mar. 4; running time, 68 min.)

A fairly interesting gold-digger picture of the program grade. The opening scenes are considerably sexy; they present Guy Kibbee, a millionaire, befriending Mary Brian and Glenda Farrell, two gold-diggers, and taking them to Palm Beach. He hires adjoining rooms and makes it very plain, in conversation and action, what he wanted; and when he cannot get what he wants he leaves them with a seven hundred dollar hotel bill. The remainder of the story deals with the accidental discovery by the two pleasant gold-diggers of a scheme to fleece a wealthy young man (hero) of part of his money; he marries a young woman, supposedly daughter of wealthy people, but really all confederates of a young crook. The meddling of the two gold-diggers with the blackmailing affair leads them into considerable trouble, because a murder is committed, but eventually they come out of it by proving their point, thus bringing about the exposing of the fakers and the arrest of the young crook.

The story is by Carl Erickson and Don Mullaly; the direction, by Robert Florey. Peggy Shannon, Lyle Talbot, Harold Huber, Helen Ware and Edward Ellis are some of those in the supporting cast.

Children under twelve may not understand the sex implications. Unsuitable for adolescents or for Sunday showing. The Kibbee sequences could be removed without hurting the story. If it were removed, then it is suitable for all.

### "There Goes The Bride"

(Gainsborough Pictures; running time, 77 min.)

Only a moderately entertaining English comedy, with an all English cast. Some songs are interpolated; they are sung by the heroine on two different occasions. The story is thin, and the action is slow. Some sympathy is aroused for the heroine when she finds herself without money, as well as when she is suspected by the hero of being a thief:—

The heroine was robbed of her purse when asleep in the train compartment, in which she was bound for Paris. She was running away from her home and an obnoxious marriage which had been arranged by her selfish father in order to aid his business financially. The hero, a bachelor, is in the same compartment, and when she attempts to look through his belongings for her purse he catches her and suspects her of being a thief. Out of a desire to investigate the matter he takes her to his home. She tells him the truth but he is reluctant to believe her story. The hero's fiancée calls to see him and when she finds the heroine there she leaves in anger. The heroine forces her way into a reception at which the hero is a guest and every one mistakes her for the hero's fiancée. Eventually he learns through the newspapers, which carried a story about her running away from home, that she had told him the truth. Since by this time they were in love with each other he prevents her from being taken back to her father's home. They are united.

The plot was adapted from a story by Fred Raymond and Noel Gay. It was directed by Albert de Courville. In the cast are Owen Nares, Jessie Matthews, Carol Goodner, Charles Carson, and others.

Some remarks are passed that would not be understood by children; not suitable for adolescents or for Sunday showing.



### "White Sister" with Helen Hayes and Clark Gable

(MGM, Mar. 3; running time, 1 hr. and 40 min.)

The production end of this picture is superb, the acting is excellent, and time has not affected the love story it tells; but it certainly lacks the great emotional appeal of its silent predecessor, no doubt because it is more restrained in the unfolding of the story. It has been modernized so that it takes place during the World War; because of this, certain changes have been made—as for instance the manner in which the hero meets with his death, but the theme remains the same. The love affair between the hero and the heroine retains its tender and romantic appeal, and one's emotions are stirred by the tragedy that befalls the lovers. The situation in which the heroine, believing the hero to be dead, renounces the world and becomes a nun, is extremely impressive and pathetic, particularly by reason of the fact that one is shown just before this that the hero is still alive. The situation in which they meet again in the convent hospital is heart-rending; their eventual unhappiness because of the heroine's refusal to renounce her vows is depressing. As with the silent version, one is left unhappy. There is one extremely gruesome situation; it is where cholera breaks out in the German prison camp and bodies are dumped into ditches, kerosene poured on them, and then set on fire:—

The heroine, daughter of a wealthy Italian nobleman, is betrothed to a man for whom she feels no love. During a carnival she meets the hero, an Italian soldier, and they fall madly in love with each other. Her father forbids her to see the hero again. She tells him this is impossible. She rushes to the barracks by automobile and her father follows in another car. There is an accident and he is killed. Remorseful, she refuses to see the hero, but by insistence she finally consents to see him and again she cannot resist him. They plan to marry when war is declared and he is forced to leave. He is reported dead. The heroine is so heart-broken that she determines to become a nun to forget. But the hero was not dead; he had been wounded and cared for by a German family. In attempting to escape he is captured and kept prisoner for two years. When he returns and finds the heroine a nun he is heartbroken and tries to persuade her to give up her vows to marry him. But she will not do it for she feels it would be wrong. The hero is forced to return to the front, where he is wounded severely. He is brought to the convent hospital and dies in the heroine's arms.

The plot has been adapted from the novel by F. Marion Crawford. It was directed by Victor Fleming. In the cast are Lewis Stone, Louise Closser Hale, May Robson, Edward Arnold and Alan Edwards.

Suitable for children, adolescents and for Sunday showing.

### "Bondage" with Dorothy Jordan

(Fox, March 31; running time, 66 min.)

This is the type of picture that will appeal to female audiences, in spite of the fact that it is a simple story told in a simple fashion, and that for the most part is depressing. The reason for this is that the heroine's sufferings will be understood by them and will stir their emotions. Several situations will bring tears to the eyes, particularly those that show the inhuman treatment the heroine receives. Her sufferings because of her separation from the baby, and the eventual death of the child are heart-rending. The resentment one feels for the heroine in the opening scene, where she is shown as being a woman of the streets, changes to pity as the story unfolds showing how she was brought to such circumstances. The picture unfolds in an institution where expectant mothers are taken to give birth to their illegitimate children:—

The heroine is arrested for soliciting on the streets and when she appears before the judge her case is argued by a young doctor who tells the judge the following story, which is shown in a flashback: The heroine, through the insistence of her girl friend, went out with a young popular radio singer. Thinking he loved her she succumbed to him. When she discovered that she was going to have a baby her girl friend called on the young man and he promised to meet the heroine the following day so as to marry her. But he did not appear. Through the help of a kind woman the heroine was sent to an institution, which was supervised by a cruel matron. She was given difficult work to do but she did not mind it since she was looking forward to the day when her child would be born. After the baby's

birth it was necessary for her to find a position since the only way she could keep the baby was to show that she could support it. She finally obtained a position and joyfully returned to the home only to find that the matron had given the baby away. In a fury she attacked the woman, and for this the matron had her confined to an insane asylum. Several days later the heroine was released, and when told that her baby had been brought back to the home she rushed there. Her joy turned to sorrow when she learned that the baby had died. The doctor, who had found out about her case, had gone to the home to help her, but when he arrived there he found that she had disappeared. And this was the first time he had seen her again. The judge suspended sentence, and the doctor followed the heroine out of the court.

The plot was adapted from a story by Grace S. Leake. It was directed by Alfred Santell. In the cast are Alexander Kirkland, Merle Tottenham, Nydia Westman, Jane Darwell, Edward Woods, and others.

Not suitable for children, adolescents or for Sundays. Good for mature persons.

Substitution Facts: This is replacing No. 28 which is listed on the contract as "Whirlwind Romeo," from the novel "Alcatraz" by Max Brand. It is, therefore, a story substitution.

### "Soldiers of the Storm" with Regis Toomey and Anita Page

(Columbia, April 4; running time, 67 min.)

A fairly good action melodrama. The audience is held in suspense throughout because of the danger to the hero. Some of the situations are thrilling, particularly the closing scenes, where the hero's identity is found out by the criminals. Another exciting situation is where the hero, in his aeroplane, follows the criminals who were attempting to escape by automobile. There is a pleasant romance between the hero and the heroine:—

The hero, a Border Patrol officer, and his assistant, are sent out on an assignment to round up a gang of crooks. He is given the license card of an imprisoned civilian flyer, a crook, and uses this as a means of getting friendly with the chief of the gang. He meets the Mayor's daughter and they fall in love with each other; he is unaware of the fact that the Mayor was helping the gang chief to carry out his crooked plans. He joins up with the gang to fly across the border transporting liquor. He is forced to break many appointments with the heroine, and since he is not at liberty to explain matters to her she thinks he does not love her. Eventually he is able to obtain all the facts he needed and is about to make his arrests. The Mayor is killed by the gang chief when he refuses to accede to his wishes. The chief and his assistant escape in their automobile but the hero, following them in his plane, shoots at them; they lose control of the car, and fall down a steep incline to their death. Explanations follow and the hero and the heroine are united.

The plot was adapted from a story by Thomson Burtis. It was directed by D. Ross Lederman. In the cast are Barbara Barrikey, Robert Ellis, Wheeler Oakman and George Cooper.

Suitable for children, adolescents and for Sundays.

### "Sweepings" with Lionel Barrymore

(RKO, April 14; running time, 77 min.)

A poor entertainment. The trouble with it is the fact that there is very little human interest and the doings are mostly about business—the hero conducts a dry goods store and becomes wealthy; he wants his children to step into his shoes but they are either unfit or unwilling to take up his kind of work. Most of them are wastrels; they had been spoiled by too much indulgence. Because of this, one condemns the father; and because of the ingratitude the children show towards their father, one condemns the children. The only part where there is a fair degree of emotional appeal is in the closing scenes, where the father, now old, having gathered his children around him, denounces them.

The plot was taken from Lester Cohen's novel. The book contained material for many pictures but not enough for one good picture. There has been considerable altering, and much of the action in the book has been left out.

John Cromwell has directed it. In the cast are Eric Linden, Alan Dinehart, William Gargan, Gloria Stuart, Lucien Littlefield, Nana Suderland, Helen Mack and others.

Not suitable for children, adolescents or for Sundays.



the Department of Justice took no subsequent action against them whatever. At two different times since then has the Government brought suit against the members of the Hays organization on the ground of having violated the same Act, but each time it allowed them to escape punishment by pleading guilty and asking for a consent decree, a legal procedure that makes it impossible for aggrieved persons to use it as evidence against them. In the one case, that of United States Government vs. Fox-West Coast et al, the defendants were again found guilty of having violated the court order; yet no action was taken against them by the Department of Justice, even though the Sherman Act contains penal features. I do not know how much Hays had to do with this impunity of the members of his organization, or if he had anything to do with it at all; but, having thought these facts significant, I felt that you and the world should know them.

Mr. Hays came into this industry when it was flourishing; it is now nothing but a shell of its former self; it is a corpse. It has been brought to this condition by extravagance, waste, high salaries, negligence, and ignorance on the part of the heads of most film companies. Three of them had run a race for several years each trying to outdo the other as to the number of theatres it could acquire. The methods they used to browbeat the exhibitors into selling their theatres are too well known in the motion picture industry, but hardly known among the public that invested its money in moving picture enterprises. No doubt the public invested its hard-earned money out of a belief that this ex-Cabinet minister, this steward, this man who had been painted as a Czar, would see to it that their investments were protected. He could not; for he had nothing to do with the business affairs of the members of his organization. On the other hand, the members of his organization, perhaps feeling sure that they had the political protection of this ex-Cabinet minister, went to the limit in spending money of the investors, defying even the regulations of the United States Government. One of them has admitted it—William Fox,—in his book, which has been written by Upton Sinclair: He states that, when he acquired the 400,000 shares of Mrs. Loew, he was told by the Department of Justice that he must not acquire control. And yet he, at the demand of the bankers, acquired control by buying the required additional shares in the names of relatives of his.

And now we come to the current receiverships in the motion picture industry. You will notice that every one of the big receiverships is being handled, in court and out of court, by persons of his political party. Charles Hilles, the Republican leader of New York State, is receiver (or has been for some time,) for Paramount. The firm of William Donovan, defeated Republican candidate for the Governorship of New York State, has been engaged as attorneys for the receivers. Every "bone," in fact, is thrown at Republicans, perhaps in payment for past services. Has Mr. Hays had anything to do with these acts? I do not know; perhaps a Congressional investigation could find out. The only thing I do know is that he recommended Hilles, who knows very little about the picture industry, to the Court as a suitable receiver for Paramount.

My dear Senator Harrison, let me remind you that millions of dollars invested in moving picture enterprises by the American people have been lost by mismanagement, extravagance and waste; and whatever is left is in danger of being lost on account of lack of knowledge of the motion picture business by receivers whose only qualification seems to be the fact that they are Republicans. Nothing but a sweeping investigation could salvage something for the investors. Nothing but such an investigation could disclose how much loot the bankers got away with.

The independent theatre owners expect much from the Democratic administration; they hope that it will correct the abuses that have wrecked the motion picture industry. And they are looking to you to champion their cause, because they consider you one of their staunch friends. Can you fail them?

Very sincerely yours,

P. S. HARRISON.

### OH, BOY! WHAT AN ANTI-BLOCK BOOKING BILL THAT OF NEW MEXICO!

I have just received a copy of the Block-Booking Bill that was passed by the legislature of New Mexico.

I have not had time to study it—I just went over it cursorily; but what I saw in the bill is enough to throw

cheer into the heart of every exhibitor, for there is no doubt in my mind that this bill will influence the legislatures of other states to enact similar legislation when introduced by you.

Whoever drafted the bill certainly knew his business; he has not left anything to chance. It prevents the distributors from selling their product to their favorite customers or to their own theatres, but provides for a fair allocation of given runs of product among all those who use product of such runs. It makes the paying of money secretly, or of giving rebates, or rewards, unlawful, and stipulates that copies of contracts or of franchises shall be filed with the Corporate Commission. It also provides that, in the event the courts declared any part of the law illegal, the other parts shall remain legal, and consequently binding upon the parties to such contract. Penalties are provided for in the event of violation of the Act, in the form of imprisonment, or of a stiff fine, or of both.

The law will be discussed in full detail in a forthcoming issue.

The comical part of it is, according to Commissioner Myers, the fact that the Hays forces were sure the Governor of New Mexico would not sign it on the grounds of unconstitutionality, and were projecting out their fearless chests; the telegram announcing that the bill had been signed by the Governor was received while they were yet in session discussing it.

I fear that it is too late to introduce a similar bill in some of the States, but there may be a chance of introducing it in the legislatures of some of them before they adjourn. If so, write or telegraph to the Attorney-General of the State of New Mexico, at Santa Fe, for a copy.

This incident again proves one thing, that no matter how sure are the producers as to their ability to forestall unpleasant legislation, something turns up unexpectedly to upset their plans, giving them a jolt. They know that "protection" and product control are detrimental, not only to the interests of the exhibitors against whom such weapons are employed, but also to those of the entire industry. They know that it is selfish to want to control the entire first-run product; they know it is wrong, not only for the independent exhibitor, but also for the public, for them to keep the product away from their competitors for an unreasonable length of time; they are fully conscious of the fact that it is unfair to refuse an exhibitor the right to choose the type of pictures that suit his customers best, compelling him to show whatever filth the warped minds of their production forces see fit to produce. And yet they will not correct these abuses. The result is that the exhibitors, in desperation, appeal to the lawmaking bodies for help. If they are not successful the first time, they continue their efforts, until they at last succeed, as it has happened with the New Mexico exhibitors, and as it is bound to happen with exhibitors of most of the other states.

If it were possible to inculcate into the minds of the producers the fact that nothing can endure unless it is founded on justice and fair play, there would be no difficulty for us to convince them that it is better for their own interest to grant these demands. Unfortunately this cannot be done. Consequently we must not relax our efforts at having Congress pass a law for the purpose of bringing about relief. Bill S. 3770, known better as the Brookhart bill, is now dead, but a new bill will soon be introduced in Congress. When it is, every one of you should work for it. Remember that a new administration is in power now. And the party this administration represents looks at your problems with a sympathetic eye.

### PARAMOUNT AND RAFT SETTLE DIFFERENCES

George Raft, who was in New York last week, has settled his trouble with Paramount and is on his way to the Coast to resume his work in Paramount pictures. He told me that he is going back at the same salary as his contract provides. But he will not take part in "The Story of Temple Drake."

If the aggressive editorial of this paper in support of Mr. Raft has helped, I am happy. But there is no question that it created considerable discussion in the daily press. The last clipping I received was from the *Columbus Citizen*. Mr. William S. Cunningham, the staff writer, wrote a column condemning the production of this novel.

This paper hopes that the producers will be a little more careful in the selection of story material. Stories dealing with degenerate characters should be avoided because, no matter how much the plot is altered, the stench cannot be removed.



# IN TWO SECTIONS—SECTION TWO

# HARRISON'S REPORTS

Vol. XV

NEW YORK, N. Y., SATURDAY, APRIL 1, 1933

No. 13

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Men Must Fight—MGM (70½ min.).....	43
Mind Reader, The—First Nat'l. (69 min.).....	39
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Mysterious Rider—Para. (their time 59m) Not reviewed	
Mystery of the Wax Museum—Warner Bros. (78m)...	31
Nagana—Universal (71 min.).....	30
Obeys the Law—Columbia (68 min.).....	30
Our Bidders—RKO (82 min.).....	34
Parole Girl—Columbia (67 min.).....	35
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Scarlet River—RKO (53 min.).....	34
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Self Defense—Monogram (their time 70m) Not reviewed	
Smoke Lightning—Fox (59½ min.).....	31
So This Is Africa—Columbia (65 min.).....	31
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Strange Adventure—Monogram (60 min.).....	26
Strictly Personal—Paramount (69 min.).....	38
They Just Had to Get Married—Universal (68 min.)...	26
Tombstone Canyon—Tif. (their time 60 m.) Not reviewed	
Topaze—RKO (77 min.).....	27
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What! No Beer?—MGM (65½ min.).....	26
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## RELEASE SCHEDULE FOR FEATURES

### Columbia Features

(729 Seventh Ave., New York, N. Y.)

3815 Sundown Rider—Buck Jones .....	Dec. 30
3002 Bitter Tea of General Yen—Stanwyck.....	Jan. 6
3014 Air Hostess—Knapp-Murray .....	Jan. 15
3915 Man of Action—Tim McCoy .....	Jan. 20
3103 Obey the Law—Carrillo-Wilson (69 min.)...	Jan. 20
3009 Child of Manhattan—Carroll-Boles.....	Feb. 4
3106 State Trooper—Knapp-Toomey .....	Feb. 10
3816 Treason—Buck Jones .....	Feb. 10
3004 So This Is Africa—Wheeler-Woolsey.....	Feb. 24
3916 Silent Man—Tim McCoy.....	Mar. 3
3017 Parole Girl—Clarke-Bellamy .....	Mar. 4
3013 When Strangers Marry—Holt-Bond (68m)...	Mar. 20
3817 California Trail—Buck Jones.....	Mar. 24
3101 Soldiers of the Storm—Toomey-Page.....	Apr. 4
3917 Whirlwind—Tim McCoy (59 min.).....	Apr. 14
3818 Unknown Valley—Buck Jones.....	May 5

### First National Features

(321 West 44th St., New York, N. Y.)

717 Silver Dollar—Robinson-Daniels .....	Dec. 24
703 The Match King—William-Damita .....	Dec. 31
708 Frisco Jenny—Chatterton-Calhern .....	Jan. 14
701 20,000 Years in Sing Sing—Tracy-Davis.....	Jan. 21
711 Employees' Entrance—William-Young .....	Feb. 11
722 Blondie Johnson—Blondell-Morris .....	Feb. 25
725 Grand Slam—Lukas-Young-McHugh (67m)...	Mar. 18
712 The Mind Reader—William-Cummings .....	Apr. 1
714 Central Airport—Barthelmess-Eilers .....	Apr. 15
728 Elmer the Great—Joe E. Brown-F.McHugh....	Apr. 29
709 Lilly Turner—Chatterton-Brent .....	May 13
718 The Little Giant—Robinson-Astor.....	May 27

### Fox Features

(444 West 56th St., New York, N. Y.)

-35 Me and My Gal (Pier 13)—Bennett-Tracy....	Dec. 4
No release set for .....	Dec. 11
No release set for .....	Dec. 18
-15 Handle With Care—Mallory-Dunn-Brendel...	Dec. 25
-24 Robber's Roost—George O'Brien .....	Jan. 1
-12 Second Hand Wife—Eilers-Bellamy .....	Jan. 8
-43 Hot Pepper—Lowe-McLaglen-Velez .....	Jan. 15
-32 Face in the Sky (Untitled Landi No. 4)...	
Tracy-Nixon-Erwin .....	Jan. 22
No release set for.....	Jan. 27
39 Dangerously Yours—Baxter-Jordan .....	Feb. 3
-17 The Infernal Machine (On Parade)—	
Morris-Tobin .....	Feb. 10
-47 State Fair—Rogers-Gaynor .....	Feb. 10
-25 Smoke Lightning (Canyon Walls)—O'Brien...	Feb. 17
34 Broadway Bad—Blondell-Cortez-Rogers ....	Feb. 24
-31 Humanity (I Am Guilty of Love)	
(Untitled Landi No. 3)—Kirkland.....	Mar. 3
18 Sailor's Luck (Shanghai Madness)—Dunn...	Mar. 10
41 After the Ball—Ralston-Rathbone.....	Mar. 17
20 Pleasure Cruise (Untitled Tracy)—	
Tobin-Young-Forbes (reset) .....	Mar. 24
28 Bondage (Whirlwind Romeo)—Jordan.....	Mar. 31
No release set for.....	Apr. 7
13 Hello Sister (Walking Down Broadway)Dunn...	Apr. 14
-48 Cavalcade—Special .....	Apr. 15
37 Trick for Trick..Morgan-Jory.....	Apr. 21
36 Zoo in Budapest (Desert Flame)—Young.....	Apr. 28
30 The Warrior's Husband (Glamorous)—Landi...	May 5
42 Adorable (Broken Blossoms)—Gaynor.....	May 12
40 5c A Glass (Untitled Lowe)—Nixon (reset)...	May 19

### KBS-Tiffany Features

(1501 Broadway, New York, N. Y.)

3106 Tombstone Canyon—Ken Maynard.....	Dec. 25
3103 Drum Taps—Ken Maynard.....	Jan. 29
3107 Phantom Thunderbolt—Ken Maynard.....	Mar. 5
3002 The Constant Woman (Auction in Souls)—	
Nagel-Hyams (reset) .....	Mar. 18
3018 A Study in Scarlet—Owne-Clyde (reset)...	Apr. 2
3108 Lone Avenger—Ken Maynard.....	Apr. 9



## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

No release scheduled for .....	Nov. 26
No release scheduled for .....	Dec. 3
-304 Flesh (Beery No. 1)—Beery-Morley .....	Dec. 10
-350 Strange Interlude—Shearer-Gable .....	Dec. 31
No release scheduled for .....	Jan. 6
No release scheduled for .....	Jan. 13
-338 Whistling in the Dark—Truex-Merkel .....	Jan. 20
-348 The Outsider—English cast (78½ min.) .....	Jan. 27
-337 The Secret of Madame Blanche—Dunne .....	Feb. 3
-326 What! No Beer?—Keaton-Durante .....	Feb. 10
-340 Men Must Fight—Wynyard-Stone-Holmes .....	Feb. 17
-339 Clear All Wires—Tracy-Hume-Gleason .....	Feb. 24
No release scheduled for .....	Mar. 3
-321 Fast Workers (Rivets)—Gilbert (reset) .....	Mar. 10
No release scheduled for .....	Mar. 17
-301 Rasputin and the Empress—Barrymore .....	Mar. 24
-308 Gabriel Over the White House—Huston-Morley-Tone .....	Mar. 31
-303 Service—L. Barrymore-Hume .....	Apr. 7
-324 The White Sister—Hayes-Gable (reset) .....	Apr. 14
-312 Today We Live—Crawford-Cooper (reset) .....	Apr. 21
-302 Reunion in Vienna—Barrymore-Wynyard .....	Apr. 28
-330 Hell Below—Montgomery-Evans (reset) .....	May 5

## Monogram Features

(723 Seventh Ave., New York, N. Y.)

Crashing Broadway—Rex Bell (reset) .....	Jan. 30
West of Singapore—Betty Compson .....	Jan. 30
Trailing North—Bob Steele .....	Jan. 30
Jungle Bride—Page-Starrett (reset) .....	Feb. 10
Breed of the Border—Bob Steele (reset) .....	Feb. 28
Oliver Twist—Moore-Pichel-Boyd (reset) .....	Mar. 10
Phantom Broadcast—Forbes-Osborne .....	Mar. 30
Black Beauty—Kirkland-Ralston .....	Apr. 15
Casey Jones .....	Apr. 20

## Paramount Features

(1501 Broadway, New York, N. Y.)

3228 Tonight Is Ours—Colbert-March .....	Jan. 13
3229 The Mysterious Rider—Taylor-Patrick .....	Jan. 20
3230 She Done Him Wrong—West-Grant-Beery .....	Jan. 27
3231 Luxury Liner—Brent-Johann-Osborne .....	Feb. 3
3226 The Sign of the Cross—Colbert-March .....	Feb. 10
3232 The Woman Accused—Carroll-Grant .....	Feb. 17
3233 Hello Everybody—Smith-Blane .....	Feb. 17
3234 The Crime of the Century—Hersholt-Dee .....	Feb. 24
3235 From Hell to Heaven—Oakie-Lombard .....	Feb. 24
3236 A Lady's Profession—Skipworth-Young .....	Mar. 3
3241 King of the Jungle—Dee-Crabbe .....	Mar. 10
3237 Strictly Personal—Rambeau-Quillan (re) .....	Mar. 17
3238 Pick Up—George Raft-Sylvia Sidney .....	Mar. 24
3240 Murders in the Zoo—Ruggles (60 m) (re) .....	Mar. 31
3239 Under the Tonto Rim—Erwin (59 min.) .....	Apr. 7
3242 Terror Aboard—Halliday-Ruggles .....	Apr. 14
3243 A Bedtime Story—Chevalier-Twelvevrees .....	Apr. 21
3244 The Story of Temple Drake—Hopkins .....	Apr. 28
3245 Beer Story—Arlen-Bickford .....	Apr. 28

## RKO Features

(Radio City, New York, N. Y.)

31155 Goldie Gets Along—Damita-Morton .....	Jan. 27
31151 Lucky Devils—Boyd-Wilson-Gargan .....	Feb. 3
31158 Sailor Be Good—Osborne-Oakie .....	Feb. 10
31114 Topaze—Barrymore-Loy .....	Feb. 24
31139 The Great Jasper—Dix-Engels .....	Mar. 3
31125 Scarlet River—Tom Keene (reset) .....	Mar. 10
-31106 Our Betters—Constance Bennett .....	Mar. 17
-31154 Man Hunt (Faithful Are Forgotten)—Junior Durkin .....	Mar. 24
-31149 Christoper Strong (Nurse Smith)—Hepburn-Clive .....	Mar. 31
31128 Sweepings—Lionel Barrymore (reset) .....	Apr. 14

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

Cynara—Ronald Colman-Kay Francis .....	Dec. 23
Kid From Spain—Cantor-Roberti .....	Jan. 10
Hallelujah, I'm a Bum—Jolson-Evans-Morgan .....	Feb. 3
Perfect Understanding—Gloria Swanson .....	Mar. 11
Secrets—Mary Pickford-Leslie Howard .....	Apr. 16

## Universal Features

(730 Fifth Ave., New York, N. Y.)

A5003 Airmail—Bellamy-O'Brien .....	Nov. 3
A5011 Afraid To Talk (Shanghai Interlude) .....	Nov. 17
A5071 Flaming Guns—Tom Mix (58½ min.) .....	Dec. 22
A5010 The Mummy (Cagliostro)—Karloff .....	Dec. 22
A5017 They Just Had To Get Married—Summerville-Pitts .....	Jan. 5
A5004 Laughter in Hell—O'Brien-Stuart .....	Jan. 12
A5009 Nagana (Pagan River)—Douglas-Birell .....	Jan. 26
A5072 The Terror Trail—Tom Mix (56½ min.) .....	Feb. 2
A5029 The Rome Express—foreign cast .....	Feb. 16
A5019 Private Jones (Broken Dreams of Hollywood) Tracy-Stuart-Cook .....	Feb. 16
A5030 The Big Cage—Beatty-Page-Ford (78m) .....	Mar. 3
A5013 Destination Unknown (S. S. San Pedro) r. Mar. 16	
A5073 The Rustler's Roundup—Tom Mix (56m) .....	Mar. 16
A5023 Cohens & Kellys In Trouble—Sidney-Murray .....	Mar. 23
A5031 Be Mine Tonight—foreign cast .....	Mar. 23
A5024 Lucky Dog (Youth Aflame)—Chic Sales .....	Apr. 6
A5016 Out All Night—Summerville-Pitts .....	Apr. 13
A5005 Kiss Before the Mirror (Glamour)—Lukas-Carroll .....	Apr. 20

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

424 Hard to Handle—Cagney-Brian .....	Jan. 28
358 Ladies They Talk About—Barbara Stanwyck .....	Feb. 4
( <i>"Ladies They Talk About," with Barbara Stanwyck, released February 4, 1933, is a 1931-32 release.</i> )	
404 Wax Museum—Atwill-Wray-Farrell (78 m) .....	Feb. 18
412 King's Vacation—George Arliss .....	Feb. 25
415 Girl Missing—Lyon-Brian-Farrell (69 min.) .....	Mar. 4
403 Forty Second Street—Baxter-Daniels (89m) .....	Mar. 11
433 Telegraph Trail—Wayne-Day-McHugh 55m .....	Mar. 18
422 The Keyhole—Francis-Brent-Farrell .....	Mar. 25
438 Untamed Africa—Adventure special (56m) .....	Apr. 8
409 Ex-Lady—Davis-Dodd-McHugh-Raymond .....	Apr. 8
407 Baby Face—Stanwyck-Brent-Cook .....	Apr. 22
425 Picture Snatcher—Cagney-Bellamy .....	May 6
411 The Adopted Father—Arliss-Davis .....	May 20

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

2 Horse Sense—World of Sports .....	Dec. 29
6 The Wolf at the Door—Scrappys (cart) (6½m) .....	Dec. 29
7 Snapshots (Hollywood topics) (10½ min.) .....	Jan. 6
6 Wedding Bells—Krazy Kat (cart) (6½ min.) .....	Jan. 10
3 Throwing the Bull—World of Sport (11 min.) .....	Jan. 14
7 Sassy Cats—Scrappys (cart) (6½ min.) .....	Jan. 25
8 Snapshots (Hollywood topics) (9 min.) .....	Feb. 6
7 The Medicine Show—Krazy Kat (cart) (6½ m) .....	Feb. 7
8 Scrappy's Party—Scrappys (cart) (5½ min.) .....	Feb. 13
8 Wooden Shoes—Krazy Kat (cart) (6 min.) .....	Feb. 25
9 Beer Parade—Scrappys (cart) (6 min.) .....	Mar. 4
9 Snapshots (Hollywood topics) .....	Mar. 11

### Columbia—Two Reels

3 Lambs All Star Gambol—Lambs' Gambol (21½ min.) .....	Dec. 20
3 College Gigolos—Sunrise comedy (18½ min.) .....	Jan. 3
4 Campus Codes—Sunrise comedy (21 min.) .....	Jan. 19
5 Partners Two—Sunrise comedy (22 min.) .....	Jan. 19
6 The Curse of a Broken Heart—Sun. com. (18m) .....	Feb. 4
7 Safe In Jail—Sunrise comedy (18 min.) .....	Feb. 11
4 The Mutual Man—Lambs Gambol (21½ min.) .....	Mar. 20
8 Strange Case of Poison Ivy—Sunrise com. .....	Mar. 23
5 Hear 'Em and Weep—Lambs Gambol .....	Apr. 10

### Educational—One Reel

(Distributed By Fox, 444 W. 56th St., New York, N. Y.)

320909 Hollywood Diet—Terry-Toon (6 m.) .....	Dec. 11
321405 Down On The Farm—Hodge-Podge (10) .....	Dec. 18
321601 Cornell—Spirit of the Campus (9m) .....	Dec. 18
321104 The Sea—Battle for Life (9 min.) .....	Dec. 25
320910 Ireland Or Bust—Terry-Toon (6 min.) .....	Dec. 25
321406 Across America in 10 Minutes—H. P. .....	Jan. 1
321505 Wild Company—Bray's Nature. (10m.) .....	Jan. 1
320911 Jealous Lover—Terry-Toon (6 min.) .....	Jan. 8
321303 Taming the Wildcat—Camera Adv. (8m) .....	Jan. 15
321407 The Animal Fair—Hodge-P. (10 min.) .....	Jan. 15
320912 Robn Hood—Terry-Toon (6 min.) .....	Jan. 22
321203 When Dad Was A Boy—Do You Rem. 8m .....	Jan. 22



321703 A Drug on the Market—Howard com. (11) .Jan. 22  
 321506 Woodland Pals—Bray's Nature. (7m)....Jan. 29  
 320913 Hansel Und Gretel—Terry-T. (6 min.)...Feb. 5  
 321003 Glad Rags to Riches—Baby Burl. (11m).Feb. 5  
 321803 No. 3—Broadway Gossip (11 min.).....Feb. 5  
 321408 Skipping About the Universe—H. P. (10) .Feb. 12  
 320914 The Tale of a Shirt—Terry-Toon (6m) .Feb. 19  
 321507 Pirates of the Deep—Bray's Nature.....Feb. 26  
 320915 Down On The Levee—Terry-Toon (6m) .Mar. 5  
 321604 California—Spirit of the Campus (10m) .Mar. 5  
 321804 No. 4—Broadway Gossip (11 min.).....Mar. 5  
 321204 Puffs and Bustles—Do You Rem. (7m) .Mar. 12  
 321409 Out of the Ordinary—Hodge-Podge.....Mar. 12  
 321105 Not Yet Titled—Battle for Life (re.)....Mar. 19  
 320916 Who Killed Cock Robin—Terry-Toon (6) .Mar. 19  
 321107 Not Yet Titled—Battle For Life.....Mar. 19  
 321304 Two Hundred Fathoms Deep—  
     Camera adventures (9 min.).....Mar. 19  
 321004 The Kid's Last Fight—Baby Burl. (11m) .Mar. 26  
 321508 Giants of the North—Bray's Nature.....Mar. 26  
 321705 Not Yet Titled—Tom Howard comedy....Mar. 26  
 320917 Oh! Susanna—Terry-Toon (6 min.)....Apr. 2  
 321606 Georgia Tech—Spirit of Campus (9 m.) .Apr. 2  
 321410 Women of Many Lands—Hodge-Podge....Apr. 9  
 321205 Highlights of the Past—Do You Rem. ....Apr. 9  
 321106 Not Yet Titled—Battle For Life (re.)....Apr. 16  
 320918 Romeo and Juliet—Terry-Toon.....Apr. 16  
 321108 Not Yet Titled—Battle for Life.....Apr. 16  
 321509 Not Yet Titled—Bray's Naturegraphs....Apr. 23  
 320919 Pirate Ship—Terry-Toon .....Apr. 30  
 321805 Broadway Gossip No. 5.....Apr. 30

### Educational—Two Reels

320403 Keyhole Katie—Vanity com. (20 min.)...Jan. 15  
 320503 Torchy's Kitty Coup—Torch c. (21m)....Jan. 22  
 320105 Artist's Muddles—Clyde com. (19 min.)..Jan. 29  
 320201 As The Crows Fly—Moran-Mack (19m).Feb. 5  
 320304 The Hitch Hiker—Langdon com. (21m) .Feb. 12  
 320705 On The Brink of Disaster—Great Hokum.Feb. 19  
 320106 Feeling Rosy—Andy Clyde com. (21 m.) .Feb. 26  
 320202 Two Black Crows in Africa—Moran-Mack  
     (20 min.) .....Mar. 5  
 320404 Techno-Crazy—Vanity comedy (19 m.) .Mar. 12  
 320504 Torchy Turns Turtle—Torchy com. (21) .Mar. 19  
 320305 Knight Duty—Mermaid comedy (22 m) .Mar. 26  
 322001 Krakatoa—Special Three Reels (26m)....Apr. 2  
 320107 Loose Relations—Andy Clyde com. ....Apr. 9  
 320203 Hot Hoofs—Moran and Mack comedy....Apr. 16  
 320505 Torchy's Loud Spooker—Torchy comedy..Apr. 23  
 320306 Not Yet Titled—Mermaid comedy.....Apr. 30

### Fox—One Reel

25 Gorges of the Giants (9 min.) .....Jan. 29  
 26 When in Rome—(9 min.) .....Feb. 5  
 27 Berlin Medley—(9½ min.) .....Feb. 12  
 28 Rhapsody of the Rails—(9½ min.).....Feb. 19  
 29 Taking the Cure—(9 min.).....Feb. 26  
 31 Paris on Parade—(9½ min.) (reset).....Mar. 5  
 32 Isle of the East Indie—(8½ min.).....Mar. 12  
 33 Iceberg Patrol—(9 min.) .....Mar. 19  
 34 Gondola Journey—(8½ min.).....Mar. 26  
 35 Broadway By Day—(10½ min.).....Apr. 2  
 36 Sampans and Shadows—(9½ min.).....Apr. 9  
 30 Down From Vesuvius—(9 min.) (reset).....Apr. 16

### Metro-Goldwyn-Mayer—One Reel

~S-744 Swing High—Sport Champ. (10 min.) ....Dec. 10  
 ~T-705 Leningrad, Gateway to Soviet Russia—  
     Fitzpatrick Traveltalks (9 min.).....Dec. 17  
 ~F-725 Funny Face—Flip the Frog (8 min.).....Dec. 24  
 ~M-766 Whisperin' Bill—Oddities (10 min.) ....Dec. 31  
 ~S-745 Chalk Up—Sport Champ. (10 min.) .....Jan. 7  
 ~T-706 Iceland, Land of the Vikings—Fitzpatrick  
     Traveltalks (9 min.).....Jan. 14  
 ~F-726 Coo-Coo The Magician (Cuckoo The Magician)—  
     Flip the Frog (8 min.).....Jan. 21  
 ~S-749 Motorcycle Mania—Sport Champ. (9 min.) .Jan. 28  
 ~T-707 Norway, Land of Midnight Sun—Fitzpatrick  
     Traveltalks (9 min.).....Feb. 4  
 ~S-750 Bone Crushers—Sport Champ. (8m) (re).Feb. 18  
 ~T-708 Cuba, Land of the Rumba—Fitzpatrick  
     Traveltalks (9 min.).....Feb. 25  
 ~S-751 Alley Oop—Sport Champions (10 min.)..Mar. 11  
 ~T-709 The Big Ditch of Panama—Fitzpatrick  
     Traveltalks (9 min.).....Mar. 18  
 ~F-727 Flip's Lunchroom—Flip the Frog (8m) .Mar. 25  
 S-752 Speed—Sport Champions .....Apr. 1

### Metro-Goldwyn-Mayer—Two Reels

~S-644 Taxi For Two—Taxi Boys com. (18 m.)...Dec. 3  
 ~C-634 Sneak Easily—Pitts-Todd com. (17m)....Dec. 10  
 ~C-624 A Lad an' a Lamp—Our Gang com. (17m) .Dec. 17  
 ~C-614 Mr. Bride—C. Chase comedy (19 min.)....Dec. 24  
 ~C-603 Towed in a Hole—Laurel-Hardy (21 min.) .Dec. 31  
 ~R-663 Hollywood Premiere—Revue (18 min.) .Jan. 7  
 ~C-645 Bring 'Em Back A Wife—Taxi Boys (20m) Jan. 14  
 ~C-635 Asleep in the Feet—Pitts-Todd (19m)....Jan. 21  
 ~C-625 Fish Hooky—Our Gang Com. (19 min.)....Jan. 28  
 ~C-615 Fallen Arches—C. Chase com. (19 min.)...Feb. 4  
 ~C-646 Wreckety Wrecks—Taxi Boys com. (19m) .Feb. 18  
 ~C-604 Twice Two—Laurel-Hardy com. (21 m) .Feb. 25  
 ~C-636 Maids a la Mode—Pitts-Todd comedy....Mar. 4  
 ~C-626 Forgotten Babies—Our Gang com. (17) .Mar. 11  
 ~C-616 Nature in the Wrong—C. Chase (19 min.) .Mar. 18  
 ~C-647 Taxi Barons—Taxi Boys com. (19 min.) .Apr. 1  
 ~C-637 Not Yet Titled—Pitts-Todd comedy.....Apr. 8  
 ~C-627 The Kid From Borneo—Our Gang (19 m) Apr. 15  
 ~C-605 Not Yet Titled—Laurel-Hardy comedy...Apr. 22  
 C-617 His Silent Racket—C. Chase (19 min.)....Apr. 29  
 C-648 Call Her Sausage—Taxi Boys (19 min.) .May 13

### Paramount—One Reel

Y2-7 Screen Souvenirs No. 7—Novelty (10 m.) .Jan. 20  
 T2-10 Betty Boop's Crazy Inventions—c. (6½m) .Jan. 27  
 P2- 7 Paramount Pict. No. 7—(9½ min.) .....Jan. 27  
 Sc2-10 Ain't She Sweet—Screen song (7½ min.) .Feb. 3  
 R2-7 Canine Thrills—Sports-Eye-View (9½m) .Feb. 3  
 Z2-7 Hollywood on Parade No. 7 (10½ min.)....Feb. 10  
 T2-11 Is My Palm Read—Betty Boop (6½ min.) .Feb. 17  
 A2-8 Be Like Me—Headliner (10½ min.).....Feb. 17  
 Y2-8 Screen Souvenirs No. 8—Novelty (9½m) .Feb. 17  
 Sc2-11 Reaching For the Moon—Screen s. (8½) .Feb. 24  
 P2-8 Paramount Pictorial No. 8—(10 min.)....Feb. 24  
 R2-8 The Wonder Girl—Babe Didrickson (10½) Mar. 3  
 T2-12 Betty Boop's Penthouse—cart. (7½m)....Mar. 10  
 Z2-8 Hollywood on Parade No. 8—(11 min.)....Mar. 10  
 Sc2-12 Aloha Oe—Screen Song (8 min.).....Mar. 17  
 A2-9 Let's Dance—Burns and Allen (10½m)....Mar. 17  
 Y2-9 Screen Souvenirs No. 9—Novelty (10m) .Mar. 17  
 P2-9 Paramount Pictorial No. 9 (10 min.).....Mar. 24  
 T2-13 Snow White—Betty Boop cart. (7 min.) .Mar. 31  
 R2-9 Hot and Cold Chills—Sports-Eye-View 9½ Mar. 31  
 Sc2-13 Popular Melodies—Screen song (8m)....Apr. 7  
 Z2-9 Hollywood on Parade No. 9 (9½ min.)....Apr. 7  
 A2-10 Moonlight Fantasy—Headliner (5 min.) .Apr. 14  
 Y2-10 Screen Souvenirs No. 10—Novelty (10½) Apr. 14  
 T2-14 Betty Boop's Birthday Party—cart (6½m) Apr. 21  
 P2-10 Paramount Pictorial No. 10 (8 min.).....Apr. 21  
 Sc2-14 The Peanut Vendor—Screen song (10m) .Apr. 28  
 R2-10 The Aggravatin' B'ar—Sports-Eye-View 10 Apr. 28  
 Z2-10 Hollywood on Parade No. 10.....May 5  
 T2-15 Betty Boop's May Party—Boop cartoon..May 12  
 A2-11 Walking the Baby—Burns and Allen.....May 12  
 Y2-11 Screen Souvenirs No. 11.....May 12

### Paramount—Two Reels

S2-5 Blue of the Night—Bing Crosby (21½m) .Jan. 6  
 M2-6 Don't Play Bridge With Your Wife—Sennett  
     comedy (17½ min.) .....Jan. 13  
 M2-7 A Wrestler's Bride (The Wrestlers)—  
     Sennett com. (21½ min.) .....Jan. 20  
 S2-6 The Singing Boxer—Sennett star (19½m) .Jan. 27  
 M2-8 Too Many Highballs—Sennett (19½m) .Feb. 10  
 M2-9 Easy on the Eyes—Sennett (21½ min.)....Feb. 17  
 S2-7 The Fatal Glass of Beer..Fields (18½m) .Mar. 3  
 M2-10 Caliente Love—Sennett (20 min.).....Mar. 10  
 S2-8 Sing, Bing, Sing—Sennett star (18m).....Mar. 24  
 M2-11 The Plumber and the Lady—Sennett 20m Mar. 31  
 M2-12 Sweet Cookie—Sennett (17½ min.).....Apr. 14  
 S2-9 The Pharmacist—Sennett star (19 min.)....Apr. 21  
 M2-13 Uncle Jake—Sennett comedy .....May 5  
 S2-10 Dream Stuff—Sennett start comedy.....May 12

### RKO—One Reel

34503 Pathe Review No. 3 (11 min.).....Dec. 23  
 34109 Bugs and Books—Fables (cart) (6½m)....Dec. 30  
 34206 Tight Rope Tricks—Tom & Jerry (6½m) .Jan. 6  
 34110 Silvery Moon—Fables (cart) (6 min.)....Jan. 13  
 34304 Holland Mosaics—Vagabond No. 4 (9 min.) .Jan. 20  
 34111 Tumbledown Town—Fables (cart) (6 min.) .Jan. 27  
 34207 Magic Mummy—Tom & Jerry cart. (7m) .Feb. 3  
 34112 Opening Night—Fables cart. (7½ min.)...Feb. 10  
 34504 Pathe Review No. 4 (9½ min.).....Feb. 17



34113 Panicky Pop—Fables cartoon (6 min.)....Feb. 24  
 34208 Happy Hoboes—Tom and Jerry (7 min.)...Mar. 3  
 34114 Loves Labor Won—Fables cart. (6½m)...Mar. 10  
 34305 Bali—Vagabond No. 5 (9 min.).....Mar. 17  
 34115 The Last Mail—Fables cart. (6 min.)....Mar. 24  
 34116 Runaway Blackie—Fables cartoon .....Apr. 7  
 34505 Pathe Review No. 5.....Apr. 14

### RKO—Two Reels

33403 Loops My Dear—Sweet No. 3 (17 m.)....Jan. 6  
 33103 Through Thin and Thicket or Who's Zoo in  
 Africa—Masquers No. 3 (17½ min.)...Jan. 20  
 33602 Private Wives—Headliner No. 2 (20½m)...Jan. 27  
 33505 The Vagabond—Chaplin No. 5 (21 min.)...Feb. 3  
 33703 Mickey's Ape Man—McGuire No. 3 (17½m.) Feb. 10  
 33304 Art in the Raw—Kennedy comedy (19m)...Feb. 24  
 33204 Hokus Fokus—Clark and McCullough No. 4  
 (19½ min.) .....Mar. 3  
 33404 Heave Two—Sweet No. 4 (20 min.) .....Mar. 10  
 33506 Pawnshop—Chaplin No. 6 (21½ min.)....Mar. 17  
 33603 Hip Zip Hooray—Headliner No. 3 (18)...Mar. 31  
 33104 Lost In Limehouse or Lady Esmeralda's  
 Predicament—Masquers No. 4 (20½ m) Apr. 7  
 33704 Mickey's Race—McGuire No. 4 (17½m)...Apr. 14  
 33305 Merchant of Menace—Kennedy com. 19½ Apr. 21  
 33205 Druggists' Dilemma—Clark & McCullough  
 No. 5 (17 min.).....May 5  
 33405 Thrown Out of Joint—Sweet No. 5 (20½)...May 12

### United Artists—One Reel

6 Babes in the Wood—S. Symphony (cart.) (8m)...Nov. 4  
 6 The Klondike Kid—M. Mouse (cart) (7m)...Nov. 18  
 7 Santa's Work Shop—S. Symphony (car) (7m)...Dec. 2  
 7 Mickey's Good Deed—M. Mouse (cart) (8m)...Dec. 9  
 8 Building a Building—M. Mouse (cart) (7m)...Dec. 30  
 9 The Mad Doctor—M. Mouse (cart) (6m)...Jan. 20  
 10 Mickey's Pal Pluto—M. Mouse (cart).....Feb. 10  
 11 The Mellerdrummer—M. Mouse (cartoon)....Mar. 3

### Universal—One Reel

A4506 Boo—Novelty (9½ min.) .....Dec. 26  
 A5306 The Merry Dog—Pooch cart. (8 min.)....Jan. 2  
 A4507 Lizzy Strata—Novelty (10 min.).....Jan. 23  
 A5205 Strange As It Seems No. 26 (8½m)...Jan. 23  
 A5405 Oswald, The Plumber—Oswald cart. (7m) Jan. 30  
 A5307 The Terrible Troubador—Pooch c. (8m) Feb. 13  
 A5406 The Shrek—Oswald cartoon (7 min.)...Feb. 27  
 A5308 The Lumber Champ—Pooch cart. (8½m.)...Mar. 13  
 A5408 The Voice of the Vatican—Spec. (9m)...Mar. 13  
 A5206 Strange As It Seems No. 27 (8m) (re.)...Mar. 20  
 A5407 Going to Blazes—Oswald cartoon.....Apr. 10  
 A5207 Strange As It Seems No. 28.....Apr. 17  
 A5309 S. O. S. Icicle—Pooch cartoon.....Apr. 24  
 A5408 Beau Best—Oswald cartoon.....May 8

### Universal—Two Reels

A5110 My Operation—Barnett-Clyde c. (21m)...Dec. 28  
 A5705 The Lightning Strikes—Lost Special No. 5  
 (18½ min.) .....Jan. 2  
 A5706 House of Mystery—Lost Sp. N. 6 (21½m) Jan. 9  
 A5111 Family Troubles—Armetta c. (21½m)...Jan. 11  
 A5707 The Tank-Room Terror—L. S. No. 7 20½ Jan. 16  
 A5947 Married Or Single—Kenny Radio R. (21) Jan. 16  
 A5708 The Fatal Race—Lost Spec. No. 8 (17½m) Jan. 23  
 A5113 Rockabye Cowboy—Gleason com. (21 min.) Jan. 25  
 A5938 I Know Everybody and Everybody's Racket—  
 Walter Winchell—Radio Reel (21m) Jan. 30  
 A5709 Into The Depths—Lost Spec. No. 9 (19m) Jan. 30  
 A5710 The Jaws of Death—Lost Spec. No. 10 (18) Feb. 6  
 A5112 Hunting Trouble—Fazenda com. (20m.)...Feb. 8  
 A5933 The Hold Up—Downey Radio Reel (20½)...Feb. 13  
 A5711 The Flaming Forest—Lost Spec. No. 11 18 Feb. 13  
 A5712 Retribution—Lost Spec. No. 12 (18m)...Feb. 20  
 A5114 Should Crooners Marry—Albertson comedy  
 (20½ min.) .....Feb. 22  
 A5901 Toll of the Rapids—Clancy of the Mounted  
 No. 1 (20 min.) .....Feb. 27  
 A5902 Brother Against Brother—Clancy No. 2 19 Mar. 6  
 A5950 Radio Murder Mystery—Radio Reel (20m) Mar. 6  
 A5115 Alias the Professor—Gleason com. (21m) Mar. 8  
 A5903 Ambuscade—Clancy No. 3 (19½ min.)...Mar. 13  
 A5904 The Storm—Clancy No. 4 (17 min.).....Mar. 20  
 A5116 The Trial of Vince Barnett—com. 20½ Mar. 22  
 A5905 A Desperate Chance—Clancy No. 5 (19½) Mar. 27  
 A5906 The Wolf's Fangs—Clancy No. 6 (17m)...Apr. 3

A5117 Pick Me Up—Prevost comedy (19 min.)...Apr. 5  
 A5907 The Night Attack—Clancy No. 7 (19 min.) Apr. 10  
 A5908 Crashing Timbers—Clancy No. 8 (16½m) Apr. 17  
 A5118 Room Mates—Albertson comedy (19½m) Apr. 19  
 A5909 Fingerprints—Clancy No. 9 (19 min.)...Apr. 24  
 A5910 The Breed Strikes—Clancy No. 10.....May 1

### Vitaphone—One Reel

6803 A Great Big Bunch of You—Merrie Mel.  
 (7 min.) .....Nov. 12  
 6906 Rambling Around Radio Row No. 2—Pepper  
 Pot (9 min.) .....Nov. 19  
 6703 Bosko's Dizzy Date—Looney Tunes (7m)...Nov. 19  
 6604 Curious Customs—Newman Ad. (10m)...Nov. 26  
 7003 Small's Paradise Band—Melody Mast. (9m)...Nov. 26  
 7004 Roger Wolf Kahn—Melody Mast. (9m)...Nov. 29  
 6907 Babe o' Mine—Pepper Pot (9 min.) .....Dec. 3  
 6504 Sport Thrills No. 4 (9 min.).....Dec. 3  
 6804 Three's A Crowd—Mer. Melodies (7m) ....Dec. 10  
 6908 Dangerous Occupations—Pepper Pot (10m)...Dec. 17  
 6704 Bosko's Woodland Daze—Looney Tunes (7) Dec. 17  
 7005 Willie Creager—Mel. Master (10 min.)....Dec. 24  
 6605 From Bethlehem to Jerusalem—Newman World  
 Adventures (9 min.) .....Dec. 24  
 6909 Out of the Past—Pepper Pot (9 min.).....Dec. 31  
 6805 Shanty Where Santa Claus Lives—Merrie  
 Melodies (7 min.).....Jan. 7  
 6705 Bosko in Dutch (Bosko in the Ditch)—Looney  
 Tunes (7 min.) .....Jan. 14  
 6910 Love Thy Neighbor—Pepper Pot com. (9m) Jan. 14  
 7006 The Continentals—Melody Mast. (10m)...Jan. 21  
 6606 High Spots of Far East—Newman adv. 10 Jan. 21  
 6505 Moose and Elk Hunting—Sport (8 min.)....Jan. 21  
 6911 Rambling Around Radio Row No. 3 (9m)...Jan. 28  
 6806 One Step Ahead of My Shadow—Merrie  
 Melodies (7 min.) .....Feb. 4  
 6912 A Whale of a Yarn—Pepper Pot (8 min.)...Feb. 11  
 6706 Bosko in Person—Looney Tunes (7 min.)...Feb. 11  
 6506 Fishing Thrills—Sport Thrills (9 min.)....Feb. 18  
 6608 Beauty Spots of the World—World adv.  
 (10 min.) (reset) .....Feb. 18  
 7007 Abe Lyman and Band—Melody Mast. 10m Feb. 18  
 6913 Africa Speaks English—Pepper Pot (10m) Feb. 25  
 6807 Young and Healthy—Merrie Mel. (7 min.) Mar. 4  
 6914 Rambling Around Radio Row No. 4 (10m) Mar. 11  
 6607 Bosko the Speed King—Looney Tunes (7m) Mar. 11  
 7008 How's Tricks—Melody Master (10 min.)...Mar. 18  
 6612 Strange Ceremonies Of The World—Newman  
 Adventures (10 min.).....Mar. 18  
 6915 Sea Devils—Shark fishing-F. McHugh (8m) Mar. 25  
 6918 Little White Lies—Liars Club (9m).....Apr. 1  
 6916 Parades of Yesterday—Old favorites (10m) Apr. 8  
 6808 The Organ Grinder—Merrie Mel. (7 min.)...Apr. 8  
 7009 That's The Spirit—Musical (9 min.).....Apr. 15  
 6607 Main Streets of the World—Adv. (re.)....Apr. 15  
 6708 Bosko's Nightmare—Looney Tunes (7m.)...Apr. 15  
 6917 Rambling Around Radio Row No. 5 (10m)...Apr. 22  
 6609 Workers of the World—Newman adv. (10m) May 6  
 6809 Wake Up the Gypsy In Me—Merrie Mel. 7 May 13

### Vitaphone—Two Reels

7206 The Run Around—Demarest com. (17m)...Dec. 10  
 7109 Poor Little Rich Boy (Bad Boy)—Phil Baker—  
 Bway. Brevities (18 min.) .....Dec. 31  
 7110 Hey Hey Westerner—Bway. Brev. (17) (re) Dec. 31  
 7207 Trouble Indemnity—Big "V" com. (17m)...Jan. 7  
 7112 Bygones—Broadway Brevities (18 min.)...Jan. 14  
 7208 The Build Up—Jack Haley com. (17 min.)...Jan. 21  
 7115 Speaking of Operations—Bway. Brev. (18)...Jan. 28  
 7209 Buzzing Around—Big "V" com. ....Feb. 4  
 7113 Pleasure Island—Bway. Brev. (18 min.)....Feb. 25  
 7210 Wrongorilla—Big "V" comedy (20 min.)...Mar. 4  
 7114 Yours Sincerely—Bway. Brev. (19 min.)....Mar. 11  
 7211 Fatty Arbuckle—Big "V" com. ....Mar. 18  
 7117 Nothing Ever Happens—Bway. Brev. (18m) Mar. 25  
 7116 Northern Exposure—Bway. Brev. (16 min.) Apr. 8  
 7119 Way of All Freshmen—Musical (19 min.)...Apr. 22  
 7212 An Idle Roomer—Jack Haley com. (19m)...Apr. 29  
 6120 Along Came Ruth—Ruth Etting (19 min.)...May 6  
 7121 Fif—Musical with comedy (19 min.).....May 13  
 7010 Alma Martyr—Musical (19 min.).....May 13

## NEWSWEEKLY NEW YORK RE- LEASE DATES

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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No. 14

### THE OTHER SIDE OF WILLIAM FOX

I have just finished reading "Upton Sinclair Presents William Fox," which deals, as you must know by this time, mainly with the methods Wall Street employed to oust William Fox from the presidency of the film company he has founded.

Throughout the book, Fox presents himself as an angel and paints almost every one of those who had come in contact with him in a business way as a devil.

Much of what he says is true—undoubtedly so; but—

On page 87, Mr. Sinclair says:

"Soon after Hoover's nomination, but before his election, Greenfield took William Fox to Washington, and introduced him to President Hoover. William Fox pointed to Greenfield and said: 'You can blame that little bald-headed Hebrew Jew who made it possible for you to become the President of the United States.' William Fox reports that 'Hoover was naturally vitally interested to learn the details of how this came about.'"

"William Fox told Hoover of his great admiration for him, and of his desire to see him elected President. In talking to me, Fox explained his reasons in detail, and I listened with no little interest. . . . I am glad that he is willing to tell about it frankly.

"I told Greenfield (Fox speaking now) that I was an admirer of Mr. Hoover, and that I was desirous of working for his election, and that my companies could be instrumental in his election; that the Fox Film Corporation made and released in the theatres of America the Fox Movietone News, and that I would be happy to devote it in behalf of Herbert Hoover; that the Fox Movietone News had 10,000,000 theatre patrons, and I considered it a very strong force, and a great ally for any political party to have."

"And at the talk with Hoover (Sinclair now speaking), William Fox repeated the same thing to him.

"I told him (Fox now talking to Sinclair, repeating what he had said to President Hoover) of my admiration for him and of my willingness to work for his election. I told him frankly of my using Movietone News in behalf of his nomination, and that for the election campaign I would be glad to take the most efficient executive I had, and put him in charge of all the picture work that Mr. Hoover would like to have. Mr. Hoover replied that my offer was the most generous one that he had as yet received during his campaign, and that he appreciated it."

"So William Fox (Sinclair now speaking) spent great sums of money, and gave a great deal of time to Hoover's cause. He tells me that it was with no definite idea of asking anything in return. But suddenly he found himself in need of a return, and he was invited to luncheon with the President."

Here is the point that I desire to bring out:

The 10,000,000 Movietone News patrons Fox talks about were not patrons of Fox theatres. Assuming that Fox at that time sold his pictures to an average of six thousand accounts, only about one-twenty-fourth of these patrons were Fox's own, for on page 328, last paragraph, William Fox states that in 1928, the theatres he controlled were only 249. He says: "During my regime, I had increased the number of theatres owned and controlled about as follows: 2 in 1927; 249 in 1928; 455 in 1929; and before I had sold out in 1930 it was 532."

Now, since Fox owned but a small number of the screens on which the ten million patrons saw Fox Movietone News, it follows that, for him to have pledged to Mr. Hoover, and to have delivered to him for political propaganda, screens he did not own is certainly not an act for any one to brag about in a book. The exhibitors bought this News for the interesting events each issue contained, but Fox delivered them with concealed propaganda, in spite of the fact that the contract contains a clause forbidding this abuse: "The

Distributor warrants that the photoplays herein provided for will not contain any advertising matter for which compensation is received by the Distributor," says the contract. Isn't the receiving of political favors compensation?

But Mr. Fox is not concerned about such scruples. Perhaps in this matter he felt no differently from what he felt in the matter of the cat and the cheese: On page 25, second paragraph, Fox says in his own words:

"Michael (the butter and egg man who conducted a store in the building where Fox lived as a boy) had a very fine cat, the largest I ever saw. I knew Michael's cat lived on cheese—cheese and milk was all this cat would eat. When the week-end came, I would like to go on picnics, so I would go down to borrow the cat and say we had mice, which we did not. Later I would go downstairs and say that I had offered the cat chicken, and that he wouldn't eat it, and I wanted some cheese for the cat. Michael would thereupon cut some nice Swiss cheese for the cat, and I would leave with the cheese, but the cat never saw it, because I would take the cheese on my picnic. Then on Monday morning, I would bring Michael's cat back. Necessity is the mother of invention. I liked Swiss cheese in those days and that was the only way I had of getting it."

Perhaps Fox, in his days of prosperity, had not forgotten the cat-and-cheese method of getting what he wanted. Frequently a bad habit becomes imbedded in one.

Here is another case that shows that Fox had an elastic conscience: On page 76, the story of how Fox Film acquired the 400,000 shares of Mrs. Loew with the consent of the bankers is told. When Harry Stuart, of Halsey, Stuart, told him that he had done an unwise thing to pay out fifty million dollars for the purchase of this stock when it was not the majority, and said: "I want you to go right in the market and buy the number of shares it will take, so you will have a majority of the total number of shares outstanding," Fox states: "Our arrangement with the Government was that we would own no more than 400,000 shares of stock. I was told to buy these in individual names; that I didn't have to buy them in the name of the company. Stuart said, 'For goodness sake, own the majority, or you will be wiped out here. You can see your danger.'"

"Several days later (Fox now speaking) the representative of the Telephone Company called and said, 'You are in a fine spot, aren't you? You had better hurry and buy these shares before someone else does.' I followed the advice, and bought 260,900 additional shares in individual names, some in my name and some in the names of my children, etc. . . ."

In other words, though the Department of Justice, which represented the United States Government, told Fox that he must not acquire control of Loew, he, at the insistence of the bankers, went out and bought control, and because he had promised the Government that he would not do it he had bought the shares necessary for control in individual names. What do you call a man when he gives his word to an individual and then breaks it? And what do you call him when he gives his word to the United States Government and then breaks it? Perhaps here again we have a case of the cat and the cheese, only on a bigger scale. And then he has the brass to say (On page 111, last paragraph), that he had acquired the habit to do everything in the open! Was this done in the open?

Among those whom Fox attacks in his book is Winfield Sheehan. Now, I would not have brought up this subject if it were not for the fact that Fox is presenting Sheehan as ungrateful. Fortunately, I have been in the picture business since the time Fox started producing pictures and I feel qualified to express an opinion as to whether Fox is justified in his accusation. Contrary to his boasts, the Fox Film Corporation had not occupied a high standing in the in-

(Continued on last page)



**"The Outsider"**

(MGM, January 27; running time, 72 min.)

This is an English production, with an all English cast; it is suitable for high class audiences, but much too low for the masses. As it is the picture derives its greatest entertainment value from the tender and sensitive performance of Joan Barry (heroine), as the beautiful and talented crippled girl, who yearns to be able to live like other girls. Several situations in which she is made aware of her defect are so heart-rending that they will bring tears to the eyes. Harold Huth (hero) at first does not arouse sympathy because of his presumptuous manner and crudeness in trying to bring his invention to cure crippled people to the front page of newspapers, but as the story develops one feels great sympathy for him because of his treatment of the heroine, with whom he had fallen in love and for whom he was willing to take the chance of sacrificing his life's work and honor in order to cure her. Suspense is sustained throughout because one does not know whether his machine will or will not cure the heroine. The closing scenes are pathetic; they show the heroine, when removed from the machine, being unable to walk. The hero is denounced as a quack, and the heroine is hysterical. It is not until the very last scene, when she hears her father denouncing the hero, that she stands up and walks. It is her love for the hero and her desire to protect him that works as a cure.

The plot was adapted from the play by Dorothy Brandon; it was directed by Harry Lachman. In the cast are Frank Lawton, Norman McKinnell, Annie Esmond, Mary Clare, Glen Pointing, and others.

Suitable for children, adolescents and for Sundays.

(MGM gives 78½ minutes as the running time.)

**"Hello Sister" with James Dunn**

(Fox, April 14; running time, 59 min.)

Terrible! In addition to several dirty situations and remarks, the plot is weak and inane, and the dialogue ordinary. The characters arouse little sympathy throughout, except in the closing scenes where one sympathizes with the heroine; she is deserted by the hero, who is about to marry her, because he was told she was unfaithful. The implications in several of the situations are filthy, as for instance when the heroine is advised by a girl neighbor "to give a little" in order to have men friends; also when the hero's friend tells the heroine: "No one has the right to hoard! Give freely!" Another dirty implication is where the neighbor becomes intimate with a man who gives her a diamond ring. One ugly situation is where this man enters the heroine's room to seduce her. There is an air of cheapness about the whole picture that leaves one with an ugly taste. Many of you will not be able to show it:—

The heroine and her girl friend pick up the hero and his pal. The hero and the heroine fall in love at first sight and when he takes her home that evening they become lovers. After the hero leaves her room his pal enters and attempts to seduce the heroine, but she is saved by a woman-neighbor, living on the floor below, who beats up the pal for having fooled her into believing that a ring he had given her for her surrender was a real diamond when it was glass. In a short time the heroine learns she is to have a baby and the hero is overjoyed when he hears that. They arrange to marry the next day. His pal, jealous, tells him the heroine is not good, that he had been with her. Furious, the hero tells the heroine he wants nothing more to do with her. He finds out the truth and beats up his pal. He then rushes to the heroine's rooming house to find it in flames. He enters the burning building and rescues the heroine. After apologies they are reconciled.

The story is by Dawn Powell. No directorial credit is given. In the cast are Boots Mallory, and Zasu Pitts.

Not suitable for children, adolescents, or for Sundays.

**"Out All Night" with Zasu Pitts and Slim Summerville**

(Universal, April 13; running time, 66½ min.)

There are plentiful laughs in this comedy, but for the most part they are brought about by suggestive remarks that border on vulgarity. The comedy is risqué and is more suitable for mature male audiences. In the opening scenes the laughs are aroused by the way in which the hero's mother pampers him; she does not permit him to make decisions for himself. It is after he meets the heroine that the comedy becomes rough; particularly in the situations that deal with their honeymoon. The closing scenes are fast and funny, without a suggestion of sex. But then the

picture ends with a remark that has dirty implications:—

The hero's mother coddles him, making him believe he is a sick man. One day, when she takes him to a department store to buy a coat, he meets the heroine, who is in charge of the nursery department. They become friends and eventually marry. But his mother follows them to Niagara Falls where they had gone to spend their honeymoon; she never leaves them alone. This disgusts the heroine and she leaves. A friend of the family, knowing they love each other, is determined to bring them together. He plans to have the heroine kidnapped, and arranges for the hero to witness it. And the plan works for the hero rushes after the captors and finally rescues the heroine. This makes him manly and he tells his mother she is not to order him around any more. After that he leaves on a real honeymoon with the heroine, warning his mother not to follow.

The plot was adapted from a story by Tim Whelan. It was directed by Sam Taylor. In the cast are Laura Hope Crewes, Shirley Grey, Rollo Lloyd, Gene Lewis, and others.

Not suitable for children, adolescents or for Sundays.

**"Destination Unknown" with Pat O'Brien and Ralph Bellamy**

(Universal, March 16; running time, 65 min.)

Poor! The producers have attempted to inject a religious note into the picture by presenting a mysterious Christ-like figure as one of the characters. This man's attempts to save the lives of the different characters and to reform them stir one's emotions but mildly. One feels contempt for most of the characters, who are of the lowest type. One is a brutal bootlegger, one a woman of the streets, one a sadistically inclined ambitious sailor, and others of equal calibre. The action is slow and the theme depressing:—

Pat O'Brien and some of his men are aboard their rum-running schooner which had been disabled by a storm. There is only a little water left on board, which he guards with a gun for himself, refusing to give any to the parched sailors. A fight ensues and it looks as if they will all die for all the water is gone. To add to his troubles O'Brien discovers that Betty Compson, his former mistress, was aboard the ship, having been taken there by one of his men who was helping her to escape from O'Brien. Everything looked hopeless and one of the sailors died. Suddenly they discover a man aboard who says he had been a stow-away. Everyone feels at peace when talking to him and they all feel as if they knew him. He shows them barrels filled with water and tells them how to go about getting the ship in order. There is another storm and the ship is thrown upon the rocks. They are near shore and he helps them to land safely on the island. The next morning all is calm, but they notice that the stowaway is not with them. Betty Compson suddenly realizes who the man was. (The implication is that he was Christ.)

The plot was adapted from a story by Tom Buckingham. It was directed by Tay Garnett. In the cast are Alan Hale, Russel Hopton, Tom Brown, Noel Madison, Stanley Fields and others.

Since there are no sex situations it is not unsuitable for children, adolescents and for Sundays.

Substitution Facts: This is replacing No. 5013 listed on the contract as "S.S. San Pedro," from the story by James Gould Cozzan. It is, therefore, a story substitution, and subject to arbitration.

**"West of Singapore" with Betty Compson**

(Monogram, January 30; running time, 64 min.)

Dull program fare; it is slow-moving and the characters are unsympathetic. The hero is of the he-man type; he beats his workers (at one time hits a woman), and his greatest virtue is that of being able to break a whiskey bottle to get a drink instead of opening it in the usual way. The story is rather puzzling, and the conclusion showing the hero's change of heart comes as a startling surprise. The heroine's actions are contemptible, particularly in the situation where she attempts to have the hero's fiancée believe that she had spent the night with the hero.

The story unfolds in the tropics, where the hero is an employee of an oil concern, and the heroine, former mistress of the hero, a singer in a cafe.

The plot was adapted from a story by Houston Branch. It was directed by Al Ray. In the cast are Weldon Heyburn, Margaret Lindsay, Noel Madison, Thomas Douglas, Clyde Cook, and others.

Not suitable for children, adolescents or for Sundays.



### **"Central Airport" with Richard Barthelmess and Sally Eilers**

(First National, April 15; running time, 74 min.)

Fairly thrilling! The thrills are caused by air stunts. These are so daring that they hold one breathless. The closing scenes are exciting; they show the hero going to the rescue of his brother whose plane, containing passengers, had been forced down at sea during a storm; exciting also is the situation in which he brings them back in his plane flying through a thick fog that prevented him from finding the landing field. The manner in which lights are provided for him is ingenious. The love story is disappointing; it is unpleasant, for it shows two brothers wanting the same woman. This naturally brings about a hard feeling between the two brothers, resulting in a fight. One situation is extremely distasteful; it is where the hero enters his brother's bedroom and finds the heroine and his brother together in bed. This comes as a shock for it is not until a few minutes later that he finds out they had been married. The heroine is not a sympathetic character for first she lived with the hero; then she deserted the hero to marry his brother, and when the hero returned from the rescue expedition she was ready to desert her husband to go back to the hero:—

The hero loses his license to fly a passenger plane after an accident. He joins a flying circus and when the heroine's brother is killed in a crash he flies her plane from which she does parachute jumping. They become lovers and when the heroine mentions marriage the hero tells her he does not believe in it. She is piqued at his attitude and refuses to stay with him. His brother pays him a visit and falls in love with the heroine at first sight. The hero meets with an accident and is confined to his bed. His brother takes his place and travels with the heroine performing their act. The hero, after his recovery, rushes to be with them, intending to marry the heroine. But when he arrives he finds that the heroine and his brother had already married and he leaves them in a fury. For a year they do not hear from him and one day he appears at the hotel where they were staying. The brother was now flying a passenger plane. When the hero and the heroine meet they fall into each other's arms and the heroine confesses that it is him whom she really loves. A storm breaks out and word is received that the brother had been forced down at sea. The hero rushes to his rescue and after bringing his brother and the passengers back safely, leaves them.

The plot was adapted from a story by Jack Moffitt. It was directed by William A. Wellman. In the cast are Tom Brown, Glenda Farrell, Harold Huber, Grant Mitchell, James Murray, Claire McDowell, and others.

Not suitable for children, adolescents or for Sundays.

### **"Gabriel Over the White House" with Walter Huston**

(MGM, March 31; running time, 86 min.)

A powerful drama, and a bold one, for it deals with what the majority of the people of the United States have in their minds in reference to political, social and economic problems; they are such that, if they were uttered or sanctioned by responsible Government officials they might embroil this nation in war with one or more world powers.

Whether one may agree or disagree with the problems discussed by the picture through the character of the President of the United States, one cannot help admitting that the action is dramatic, and in many of the situations it stirs the emotions.

At first one feels resentment at the attitude of Walter Huston, as the President of the United States, a typical party man, in giving out useless statements and paying no attention to the needs and desires of the people. He is more interested in playing games with his nephew than in listening to the pleas of the head of an army of unemployed men. But after he meets with an automobile accident he becomes a different man, acting as if he had seen a vision from heaven. From then on it is stirring entertainment for he is suddenly aware of all the suffering around him, deserts his party, and forces every one to accede to his wishes in order to bring about the necessary reforms to help the people. He musters the group of unemployed into an active body of working men, providing jobs at army pay in the line of construction work. He battles single-handed against the political desires of his former henchmen. He forms a troop of federal police to fight the gangsters. The police, by the use of tanks, force the surrender of the gangs,

and all those captured are placed before a firing squad and killed. He collects foreign debts by impressing the different representatives with the power of the United States Navy and air force. And then as his last great accomplishment a treaty for peace is signed by all the nations of the world. After this he dies.

Worked into the story is a pleasant romance between Karen Morley, who before his accident had been the President's mistress, and Franchot Tone, the President's secretary. They are made happy when the President forgives them and shows his desire to see them marry.

The plot has been based on an anonymous novel. It was directed by Gregory La Cava. Walter Huston is magnificent as the President. Others in the cast are Arthur Byron, Dickie Moore, C. Henry Gordon, David Landau, Samuel Hinds, and William Pawley.

It is doubtful if children or adolescents will understand the relationship between Huston and Morley; therefore, it is suitable for all and for Sundays.

### **"Pick Up" with George Raft**

(Paramount, March 24; running time, 75 min.)

Just fair. The trouble with it is the fact that the story is weak, and that Mr. Raft is handicapped with a leading lady who is not for this sort of parts; she is too "babyish." The picture will not give more than passing satisfaction to the Raft fans, and it is not for the family circle, for the hero and the heroine are shown living together when they are not married:—

The heroine is released from prison where she had been sent for working a badger game with her husband, even though she did it against her will. With her last penny spent she enters the hero's taxicab while it was raining so as to keep warm. At first the hero orders her out but later he pities her and takes her to his room. To his surprise, the following day he does not find the heroine gone and his room robbed. They become friends and later lovers. Her advice in business matters proves helpful to the hero, who eventually becomes a successful garage owner. His new position brings him in touch with some wealthy young people and one girl becomes infatuated with him. Little by little she succeeds in taking him away from the heroine. But in the end the hero realizes his mistake, breaks his relations with the wealthy girl, and returns to the heroine.

The story is by Vina Delmar; the direction, by Marion Gering. In the cast are William Harrigan, Lillian Bond, Clarence Wilson, George Meeker, and others.

Not suitable for children, adolescents or for Sunday showing.

### **"Pleasure Cruise" with Genevieve Tobin and Roland Young**

(Fox, March 24; running time, 69 min.)

This may prove entertaining to sophisticated audiences for it is extremely risqué; but it is "tabu" for the family trade, for some of the talk is actually dirty, particularly during one situation in which the heroine holds a conversation with a young man who she thought had spent the night with her. For boldness this conversation has not been equaled. The hero is presented as a jellyfish, always spying on the heroine (his wife) for he suspects her of having affairs; his nagging becomes boring. Some comedy is aroused by the manner in which he gets rid of his wife's admirers, without having her suspect that he is aboard the ship with her:—

Most of the action revolves around the efforts of a jellyfish husband (hero), who loves his wife, but who suspects her of infidelity. He follows her secretly on the boat and is madly jealous when he sees her talking to different young men. The wife half-agrees to let one of them into her stateroom at night; at first she is undecided, but later she determines not to let him in. In bolting the door of her room, however, she did not put the bolt in properly and the door remained unlocked. Her husband enters at night in place of the lover and the heroine does not know the difference. There are no scenes between husband and wife when they return home, and life resumes the former smoothness. The heroine tells the hero she knew that it was he in the stateroom.

The story is by Austen Allen; the direction, by Frank Tuttle. Ralph Forbes, Herbert Mundin, Theodore Von Eltz and others are in the cast.

Not suitable for the family circle.

Substitution facts: On the contract No. 20 is listed as a Tracy feature. It is, therefore, a star substitution.



dustry until Winfield Sheehan took charge of production in 1926. In his early years of production, the name of "Fox Film Corporation" was synonymous with everything that was vile and low, because of the sex pictures William Fox had made. In fact, up to the time Jimmy Grainger joined this company, the name "Fox" was looked upon with contempt. The quality of his pictures was of the same quality as Fox's picture reputation. The year Grainger joined Fox, large announcements and plentiful publicity led us all to believe that everything would be changed. What happened? The first pictures the Fox Film Corporation delivered under the Grainger regime were of the "Siberia," "The Johnstown Flood," "Yellow Fingers," "A Trip to Chinatown," "Palace of Pleasures," "Sandy," type—cheap and ordinary. And the name of Fox did not improve much. It was not until Sheehan went to the Coast and brought back such pictures as "What Price Glory?," "Seventh Heaven," and "The Cock-Eyed World," that the name "Fox" meant anything. It is, in fact, my opinion that, but for the pictures Sheehan produced Fox would never have dreamed of reaching the position he had reached, for after all product is what makes success in this business and Fox was incapable of producing it, as his long production career unmistakably proves.

I am not defending Winfield Sheehan; I am simply stating facts. And I ought to know them, for I have been in the business from the very inception of every one of the companies, and have had an opportunity to observe them.

There are many statements in the book that I could disprove. Unfortunately, I cannot do so without dragging the discussion for several issues. For instance, I could prove that he did not go into talking pictures by any brilliant stroke of genius of his own; he was forced into it, for when he came East he had found talking pictures, made not by his relatives, but by others. But I cannot help calling your attention to the fact that he has left some very important chapters from his life out. For instance, he did not say anything about his welching on that \$250,000 gambling debt of his, which he contracted at Palm Beach with Bradley. (I have been informed that years later he was shamed into settling it.) Nor has he mentioned anything about his exacting from D. W. Griffith \$100,000 for the foreign rights of "The Two Orphans," which had cost him only \$15,000. Griffith overlooked making a deal for these rights when he started "Orphans of the Storm" ("The Two Orphans"), and he had to send to Europe a special representative. Through an oversight, the Griffith New York office failed to pay the \$15,000, agreed upon in France, to the New York agent of the rights to the book and the agent, peeved, sold the rights to Fox. All the pleadings that his demand for \$100,000 was excessive were of no avail. And Griffith had to pay it. And there are still other chapters.

Fox complains against Sheehan and the Clarke bank group bitterly. In my opinion, instead of complaining against them, he should order statues carved and placed in his bedroom so that he might look at them every morning and thank them for the favors they have done for him, for if it were not for Winfield Sheehan he would not have been able to get for his company today eighteen cents let alone eighteen million dollars; and if it were not for the Clarke banking group he would perhaps have been figuring out now how to get some cheese from the grocer by aid of a cat.

### AN AMPLIFICATION

In my open letter to U. S. Senator Pat Harrison, I stated that the firm of William Donovan is attorneys for the Paramount receivers. This firm is attorneys only for the plaintiff to the receivership. The attorneys for the Paramount receivers is the firm of Root Clark & Buckner, of which Elihu Root is the head. Elihu Root, a Republican, is, as you well know, the former Secretary of State; Emory R. Buckner, a Republican, is the former U. S. District Attorney, under the Republican administration. Root Clark, too, is a Republican.

### A POSTER PROPOSAL FOR THE CONSIDERATION OF THE PRODUCER-DISTRIBUTORS

The treatment the exhibitors have received for several years and are still receiving in the matter of posters and advertising accessories rankles in their hearts; the prices they are forced to pay are so high that there is not a single exhibitor but accuses the producers of profiteering.

I was talking to a prominent distributor on the subject sometime ago and was told by him that what the exhibitors feel and say about this matter represents one side of the

question. "The truth of the matter is," he told me, "that our poster and accessory departments are losing money."

I tried to gather some information about the costs of the different items and what the distributors charge the exhibitors for them so as to be able to determine if possible where the real trouble lies. Here are my findings:

Article	Selling Price	Cost	Profit
1-sheet	15c	5½c	9½c
3-sheets	45c	16½c	28½c
6-sheets	90c	33c	57c
Window Cards	10c	2c or 3c	7c or 8c
11"x14" Photos (8 in set)	75c	32c or 40c	43c or 35c
Stills	10c each	2c or 4c	6c or 8c

(NOTE: Transportation charges have not been figured in the cost because of the fact that they vary in accordance with the distance of the exchange from the shipping point.)

With so much profit for each article the assertion of my friend that these departments are losing money is somewhat astounding.

Assuming that this distributor is accurate in his assertion, then there is only one explanation: the poster and advertising accessory departments are conducted inefficiently.

Since advertising material, used intelligently in liberal quantities, increases the intake of the pictures at the box office, it follows that, the more the exhibitors use, the better not only for the exhibitors but also for the owners and the distributors of the pictures.

With the prices now charged by the producers, it is unreasonable to expect the exhibitors to use more paper; and since the producers say that, were they to lower their prices, their losses would become greater, some way should be found that will make it possible for the exhibitor to use more paper without increasing the losses of the producers, —even eliminating them.

There are, in my opinion, two ways by which this can be accomplished: the one is by turning their departments over to the independent poster companies under a strict but fair agreement; the other, by offering to accept from the exhibitor a definite quantity of advertising material as a standing order at cost, with a high rate for all additional matter ordered after such matter has been printed.

These suggestions are offered to the trade as a basis. Discussions may be held on them with a view to adopting some plan ultimately. The present selling plan, even if we were to disregard the complaints of the exhibitors that it is unjust and unfair, is not productive of the best box office results either for the exhibitor or for the producer and to continue it would be unpardonable.

### HORROR FOR THE BABIES AND THE LITTLE TOTS

Mr. Clifford L. Niles, president of Allied Theatre Owners of Iowa and Nebraska, has written me as follows:

"Two of the finest shorts on the market today are Walt Disney's Mickey Mouse and the Silly Symphonies.

"We note of late that they all seem to have a Devil or Ogre in them who are shown trying to imprison or beat up Mickey Mouse. Not satisfied with that, they have horrible closeups of these Monsters.

"These Miceys please the grown ups, but they appeal especially to children. Even little tots from five to seven years old squeal when Mickey appears on the screen; it tickles them so. But these horror scenes just scare them to death. The other night a mother brought out a little girl about five years old so scared that she was trembling all over. The title of the Mickey cartoon was 'The Mad Doctor.'

"Certainly there is enough brains in the industry to realize that it is necessary to eliminate horror from these pictures. Why not make them along the lines of 'Santa's Workshop'? This was a masterpiece. The kiddies certainly enjoyed that."

Unfortunately, Mr. Niles, there isn't "enough brains" in this industry to realize that the business is being killed. Not long ago I saw a Disney cartoon—I have forgotten its title now—dealing with gangsterism. The gangster thought has invaded even the cartoon field! At other times I happened to see cartoons in which the udders of cows were stretched and made to assume different forms.

The producers of these cartoons certainly know that cartoons appeal chiefly to children. Don't they realize that horror scenes such as Mr. Niles describes are frightening children, and that the mothers, when they see their little tots in convulsions from fright as a result of such scenes, will refrain from taking them to a picture theatre again?



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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No. 15

### The Block-Booking Act of the State of New Mexico

We have to take our hats off to the New Mexico exhibitors; they have stolen a march on us; while we were dreaming and planning how, where and when we should introduce a bill outlawing block-booking and protection, they introduced one; and while the Hays forces were puffing big black cigars, sure in the belief that the Governor of the State of New Mexico would not sign it on grounds of unconstitutionality, a telegram arrived informing them that the Governor had signed the bill making it a law.

The introduction of the Act reads as follows:

#### "AN ACT

"To Prevent Monopolies, Unfair Combinations, Restraint of Trade, Favoritism, Discrimination and Preferences in the Sale, Leasing or Distribution of Motion Pictures, and to place all Competitive Exhibitors of Motion Pictures on an Equal Basis in the right to Purchase or otherwise acquire the right to exhibit Motion Pictures, and generally present and prohibit Unfair and Unjust Contracts, Leases and other Agreements of every kind and nature between Producers, Distributors and Exhibitors of Motion Pictures, and Prescribing Procedure and Methods for carrying the purposes of this Act into effect, and providing penalties for Violation of this Act."

Section 1 defines the different terms, such as Exhibitor, Distributor, Protection, Franchise, and the like.

Section 2 explains the purpose of the Act.

Section 3 makes illegal every contract combination or monopoly of any kind the object of which is to prevent, restrict, prohibit or interfere with any competitive exhibitor from obtaining his share of the product of any producer and/or distributor.

Section 4 prohibits any exhibitor from buying more pictures than he can show. It provides also that all contracts must be in writing, sworn to before a person authorized to administer an oath, and that a copy shall be filed with the office of the Corporation Commission of the State of New Mexico.

Section 5 directs that all sellers of films shall "allot, divide or distribute their product in proportion to the kind and number of theatres in a town or city"; first-run pictures among first-run exhibitors, and second-run pictures among second-run exhibitors (first and second-run of pictures and of exhibitors is defined in Section 1); that the division shall be made by permitting each competitive theatre of equal run to select a picture alternately. In the event a competitive theatre does not wish to take advantage of its rights the seller of the pictures must obtain a written waiver from the owner. In such a case, his proportion of pictures shall be divided among the remaining competitive theatres. If the exhibitor failed to sign a waiver the seller is empowered to appeal to the Corporation Commission for permission to allot his pictures without a waiver. The appeal shall be determined by the Commission, with right of appeal to the District Court.

Section 6 provides that the seller of film, whenever he announces a group of pictures, either made or to be made, shall file such announcement with the Commission and he shall announce the pictures to all exhibitors simultaneously. The pictures offered for sale shall be "marked" for identification and shall be classified in "A" and "B" groups, in accordance with their box-office value. If any changes are made, the Commission must be notified in advance. The playing arrangements shall be the same for all exhibitors of a similar class.

Section 7 provides that unless the contract is revoked by the exhibitor or disapproved by the distributor within

twenty days from the date of signing, it shall become binding.

Section 8 makes unlawful the secret payment of rewards, or the refund or rebate of money paid for pictures by a competitive exhibitor.

Section 9 makes unlawful the purchase of film for any longer period than one year. This provision excludes cases where pictures were contracted for prior to the adoption of this Act. In the cases of Franchises, their limit is made one year from the day the act went into effect. But parties to such contracts or franchises must file a copy within thirty days after the Act goes into effect.

Section 10 provides that those competitive exhibitors who have contracts or franchises for pictures for a period longer than one year at the time this Act went into effect shall not take part in the alternate selecting of pictures with other competitive exhibitors until the exhibitors who haven't such contracts or franchises have acquired an equal number of pictures.

Section 11 provides that producer controlled exhibitors showing the pictures made by their own company shall not take part in the drawing until after each of the other competitive exhibitors have acquired an equal number of pictures.

Section 13 stipulates that a date shall be set for the alternate selection to be made in the city where such competition exists.

Section 15 holds accountable any producer-distributor who misrepresents the merit or the box-office value of a picture.

Section 18 makes the Chairman of the Corporation Commission the legal representative of the seller of film in New Mexico, upon whom legal papers in an action may be served.

Section 23 provides that, in the event one or more sections of this Act were declared by the court unconstitutional, the remaining sections shall remain binding.

\* \* \*

When the passage of this Act became known, the distributors were naturally disturbed. I do not know whether they held any meetings to discuss it and to determine what concerted measures they should take. I believe that, if such meetings were held, a decision was taken not to act concertedly, lest they be penalized by the courts. It has now become known that Metro-Goldwyn-Mayer has obtained an injunction against the law on the ground that its provisions attempt—

(a) To occupy a field already preempted by the anti-trust acts of the United States; (b) to fix purposes and to determine methods of conducting business not affected with the public interest; (c) to regulate and control a monopoly granted by the copyright laws of the United States. . . ; (d) to regulate interstate commerce and to impose burdens and restrictions thereon. . . ; (e) to regulate a business not affected with the public interest. . .

Many other reasons are given in subsequent articles of the complaint.

What the outcome will be it is hard to predict. The provisions of the law are too good to make an exhibitor hope that he will enjoy them by a favorable verdict of the higher courts. But whether the courts sustain this law or not, the effect of its enactment in one state will be to encourage exhibitors in other states, to seek a remedy of the industry evils by legislation. Whatever the shortcomings of this Act may be the exhibitors will naturally note them after the courts render their decision, and will try to avoid

(Continued on last page)



### "The Circus Queen Murder" with Adolphe Menjou

(Columbia, April 10; running time, 64 min.)

A good murder melodrama. Suspense is sustained throughout and the plot is worked out logically. In addition, there are some thrilling situations showing trapeze artists performing their acts in the air without any nets below. Some of their stunts will hold the spectator breathless. The most thrilling situation is the one that shows Greta Nissen, a trapeze performer, doing her act in the air, while her insane husband, Dwight Frye, watches from the top of the tent ready to kill her. Another thrilling moment is where Donald Cook, her lover, also a trapeze performer, just saves himself from falling to death when the rope breaks:—

Adolphe Menjou, New York police commissioner, and his secretary, had left New York for a vacation; they went to a small town where a circus had just arrived. The secretary, proficient in lip reading, notices one of the performers threatening death to a woman riding alongside of him. Menjou and his secretary are invited to the circus and once there the press agent, who knows Menjou, asks him to help them for they sense that something is wrong. Menjou finds out that Greta Nissen, half-owner of the circus, hates her husband Dwight Frye and is in love with Donald Cook. The husband disappears and every one thinks he had been murdered. But Menjou knows differently. While Donald Cook is up in the air the rope gives way but he grabs another rope just in time to save himself from death. Greta Nissen is up in the air doing her act. Her husband, having climbed up to the top of the tent, watches her from a slit in the tent and shoots her with a poisoned arrow. She falls to the ground and dies. Menjou realizes that Frye is insane and plans to capture him. But Frye wants to die in a spectacular fashion; he climbs up to the top of the tent, shoots himself, and then falls to his death. Menjou and his secretary return with a feeling that New York is a better place for a vacation.

The plot was adapted from a story by Anthony Abbot. It was directed by Roy William Neill. In the cast are Harry Holman, Ruthelma Stevens and George Rosener.

Not suitable for children, adolescents, or for Sundays.

### "Kiss Before the Mirror" with Nancy Carroll, Paul Lukas and Frank Morgan

(Universal, April 20; running time, 67 min.)

In spite of the fact that this picture has been given an excellent production, it is only fair entertainment, and at that suitable for high class audiences. Its chief fault is that it is too wordy, has little action, the characters are not very sympathetic, and the theme is unpleasant. In addition, it is repititious, for the picture starts off to tell a story which involves Paul Lukas and Gloria Stuart, and from this progresses into another story, identical in theme, involving Nancy Carroll and Frank Morgan. The most stirring situation is the courtroom scene in which Frank Morgan, confronted with the fact that his wife is unfaithful, makes an impassioned plea on behalf of Paul Lukas, who had killed his wife when he discovered that she was unfaithful. Suspense is fairly well sustained throughout:—

Paul Lukas kills his wife when he finds out that she was unfaithful. Frank Morgan, his friend and attorney, insists that Lukas confess the story in detail. Lukas tells him that he first suspected his wife when he noticed that she was particularly careful about her dressing and was irritable when he tried to kiss her. He followed her, found her in her lover's arms, and then killed her. Morgan goes home and his wife, Nancy Carroll, tells him she is going to play bridge. He notices that she is wearing a new dress, and that she is impatient when he tries to kiss her. Suspicious, he follows her and sees her meet her lover. He makes up his mind to kill her, but first he must win an acquittal for his friend. He insists that his wife accompany him to the court on the day of trial. In his plea he speaks about the anguish Lukas had gone through, and he makes the plea very powerful because of his own unhappiness. Nancy Carroll realizes he knows about her unfaithfulness. Lukas is freed. Morgan does not kill his wife; instead he asks her to leave him. He goes home and she follows him. She tells him he is the only man she ever loved. They are reconciled.

The plot was adapted from a story by Ladislaus Fodor. It was directed by James Whale. In the cast are Jean Dixon, Donald Cook, Charles Grapewin, and others.

Not suitable for children, adolescents, or for Sundays.

**SUBSTITUTION FACTS:** This is replacing 5005, which is listed on the contract as Edna Ferber's "Glamour." It is a story substitution.

### "Terror Aboard" with John Halliday and Charlie Ruggles

(Paramount, April 14; running time, 65½ min.)

Terrible! It should sicken even the most morbid follower of horror melodramas, for there is one killing after another. And the audience is not made aware of these killings by suggestion; it is shown clearly how the sadistic villain commits each one. As a lesson in fancy and varied types of murders this picture stands in a class by itself: one man is poisoned; another is shot; a woman is shoved into a refrigerator, and frozen to death; another is shoved into the sea; a man is incited into killing another man and then himself; another man is stabbed; and as a final stroke of homicidal genius, a boatload of sailors are thrown into the sea and drowned. It is almost with relief that one sees the death of the villain. It hasn't much of a story to tell since it is devoted mainly to the murders. Suspense is sustained for one does not know who will meet with his death next:—

The villain, while aboard his yacht with the heroine and several other guests, receives a cable telling him that his manipulations of securities had been discovered and that he cannot escape arrest. He first kills the wireless operator, the only one who knew about the message. He then sets about arranging plans to kill off every one, with the exception of the heroine. His plan is to live with the heroine on one of the islands they were approaching, where he would never be found. The hero, former sweetheart of the heroine, who had followed the yacht by aeroplane, is picked up by the villain. Eventually everybody aboard, with the exception of the hero, the heroine, and a drunken steward, is murdered by the villain. He then traps the hero and the heroine in the engine room, shoots open the gasoline tanks, and sets fire to it. A ship passing by notices something queer aboard the yacht and the Captain with some of his men board it. The villain jumps overboard his intention being to swim to the island. The hero and the heroine are taken from the burning boat. The villain is killed by a shark.

The plot has been adapted from a story by Harvey Thew and Manuel Seff. It was directed by Paul Sloane. In the cast are Neil Hamilton, Shirley Grey, Verree Teasdale, Jack La Rue, Leila Bennett, Morgan Wallace, Thomas Jackson, Paul Hurst, Stanley Fields, and others.

Not suitable for children, adolescents, or for Sundays.

### "Silent Man" with Tim McCoy

(Columbia, March 3; running time, 68 min.)

Of the average quality of the other Tim McCoy pictures. This time Mr. McCoy is presented as an escaped convict, who had been sent to jail in Arizona by framing. While working as an inspector of cattle brands in another state, the villain recognizes him and threatens to give him away unless he did his bidding. Later on he is accused of a murder he had not committed. He is helped to escape from jail. In the end he rounds up the villains. His innocence is also proved. Thus he is free to marry the heroine.

The story is by Walt Coburn; the direction, by D. Ross Lederman. Florence Britton, Wheeler Oakman, Joseph Girard, Matchew Betz, William V. Mong, Lloyd Ingram and others are in the cast.

If you are in the habit of showing Western melodramas to children and to adolescents, and on Sunday, this one will do.

### "Telegraph Trail" with John Wayne

(Warner Bros., March 18; running time, 54 min.)

A fast-moving Western of pioneer days and of Indian warfare; it has human interest and some good comedy situations. One situation that provokes much laughter is where Frank McHugh, while fighting the Indians, suddenly feels something trickling on his neck and thinking he had been shot says goodbye to his friends. It develops that a can of tomato soup had been pierced and the soup had dripped down on his neck. The audience is held in suspense because of the danger to the hero and to his men who were endeavoring to put up telegraph wires. They were being stopped at different times by the Indians who were egged on by a villainous white man, who did not want the telegraph because it might interfere with his thievery. A pleasant romance is worked into the story between the hero and the heroine. The villain is killed by the Indian chief, and the hero and his men finish their work.

The story is by Kurt Kempler; it was directed by Tenny Wright. In the cast are Marceline Day, Otis Harlan, Albert J. Smith, and others.

Suitable for children, adolescents, and for Sundays where westerns are shown.



**"When Strangers Marry" with Jack Holt**  
(Columbia, March 20; running time, 68 min.)

A good program picture. The action is fast enough to hold the interest of the audience fairly tight, and the acts of the hero arouse fairly strong sympathy because they are manly. The closing scenes are fairly thrilling; they show Hindus attacking the hero and his engineering party, the latter putting up a stiff defense, killing most of the attackers and driving off the remainder:—

The hero meets in Paris the wild young daughter of an American millionaire and marries her. She accompanies him to Hindo-China, where he had signed a contract to build a railroad. But life is soon monotonous for her because her husband is away. When the villain, who had every reason to prevent the hero from finishing the railroad, approaches her and invites her to sail with him to England, she half-accepts his invitation. The hero returns for supplies and she remonstrates with him. But he tells her that he must finish the railroad. When he leaves, she goes to the villain's house. While there she learns that he had sent men to murder her husband and, managing to escape, obtains help and reaches her husband in time to warn him of the danger. When the attackers surround them and start shooting, the hero and his men are ready for them; they kill most of them, driving off the remainder. The hero then realizes how much the heroine loved him.

Maximilian Foster wrote the story, Clarence Badger directed it. Lilian Bond plays opposite Mr. Holt. Barbara Baronde, and Gustave Von Seyffertitz are in the cast.

Not harmful to children and to adolescents; but whether you can show on a Sunday a picture that shows so much drinking and jazzing in the beginning it is for each one of you to determine.

**"Ex-Lady" with Bette Davis**

(Warner Bros., April 8; running time, 65 min.)

Just fair entertainment. It is a rehash of a familiar theme—that of the modern conception of marriage. It is reeking with sex, since it is made up mostly of different love scenes, very evident as to their intent. The first half of the picture is demoralizing since it is shown that Bette Davis and Gene Raymond live together although unmarried. Also in these scenes Bette Davis expresses her views very freely about free love and the inconveniences of marriage. The story moves slowly and becomes rather tiresome, for the outcome is quite obvious. It is the sort of picture that will probably attract flappers, first because of the clothes worn by Bette Davis, and secondly because of the daring theme involved:—

Bette Davis, an artist, and Gene Raymond, owner of an advertising agency, are lovers. One night her father and mother call to see her and when they find Raymond there they denounce her. Because of this Raymond begs Davis to marry her, and although she feels it is the wrong thing to do she marries him. For a time they are very happy. They take a honeymoon trip and when they return Raymond finds that, because of his absence, some important business was lost. Bette Davis continues with her work, even doing drawings for rival advertising agencies, This irks Raymond. One quarrel soon follows another and they decide to live apart. While dining at a hotel with a friend one night she sees Raymond going up in the elevator with a married woman; Bette knew this woman wanted Raymond. She follows them up to the hotel room and then denounces them. Enraged she goes with her companion to his apartment and when he starts making love to her she resents it and leaves. She returns to her apartment and there finds Raymond. He had come to apologize and beg her to return to him. They decide to live together again.

The plot was adapted from a story by Edith Fitzgerald and Robert Riskin. It was directed by Robert Florey. In the cast are Frank McHugh, Monroe Owsley, Claire Dodd, Kay Strozzi, Ferdinand Gottschalk, and others.

Not suitable for children, adolescents, or for Sundays.

Substitution Facts: This is replacing No. 409 which is listed on the work-sheet as "Barbara Stanwyck." It is, therefore, a star substitution.

**"Elmer the Great" with Joe E. Brown**

(First National, April 29; running time, 72 min.)

A fairly good comedy. There are not as many laughs as in former Brown comedies, but it is clean and wholesome fun, and should particularly appeal to young baseball fans. It is somewhat slow and not until it is about half way through that it picks up speed. The closing scenes, even though they take a few liberties with the game of baseball, are exciting; fans will howl with glee when Brown, in the last game of the World Series, gets up to bat in the ninth

inning with bases full and smashes out a home-run, winning the game for his team. As usual, Brown is presented as a sap, for whom one feels much sympathy. In this instance, he is an egotistical baseball player, who expresses so much confidence in his ability that every one teases him. One situation is unpleasant; it is where Brown accepts a bribe from some gamblers to stay away from the game. It is not until later that one learns that Brown's intentions were to double-cross the gambler and to play in the game. There is a pleasant romance between Brown and Patricia Ellis:—

Brown, a small town clerk in a store owned by Patricia Ellis, and a member of the local baseball team, is bought by a Major League team. He refuses to leave town because he is in love with Patricia and he confesses this to her. In order to force him to leave she makes him believe she does not love him and tells him he is discharged. He signs the contract and becomes a sensation in the baseball world. The other members of the team play practical jokes on him, such as making him believe he is talking over the radio when in reality he is talking into a sunray lamp. Patricia comes to Chicago to see Brown; in the lobby of the hotel she notices him kissing another girl and refuses to talk to him. Discouraged he goes to a gambling establishment with another team member and innocently plays at a game. It is not until the end of the game that he is told he lost \$5,000. He gives the owner an I.O.U. and when the owner suggests Brown could make money by throwing the game a fight ensues and Brown and his pal are taken to jail. He finds out about the radio joke and vows never to play with his team again. The heroine pays off the I.O.U. and the gambler goes to the jail to tell Brown about it. He gives Brown \$5,000 and Brown signs a paper promising to throw the game. But Brown has other ideas. He enters the game; it takes much talking on his part to convince the owner of the team that he is not crooked, for the gambler had shown the paper to the owner. He tells the owner he had double-crossed the gamblers by betting the \$5,000 on his own team to win. He goes into the game and in the ninth inning wins it for his team. He and the heroine are united.

The plot has been adapted from a play by Ring Lardner and George M. Cohan. It was directed by Mervyn LeRoy. In the cast are Frank McHugh, Claire Dodd, Preston S. Foster, Russell Hopton, Sterling Holloway, Emma Dunn, and others.

Suitable for children, adolescents and for Sundays.

**"The Phantom Broadcast" with Ralph Forbes**

(Monogram, March 30; running time, 71½ min.)

Fairly good. It could have been better had not the would-be radio crooner been presented with such unpleasant traits, and had gangsterism been left out. Another weakness is the fact that the hero is made to fall in love with the heroine too suddenly; it is not convincing:—

The story deals with a hero who, while he sings and accompanies himself on the piano, has a young man go through a singer's motions and strain, so that people looking through the glass partitions at the radio station believe that the fine singing crooner is the young man. He does this because he himself is a hunchback and makes a poor appearance. A racketeer, seeing an opportunity to make easy money, tries to induce the would-be crooner to drop the hero and to sign up with him. He instructs his "flame" to do the coaxing. But she becomes infatuated with him. The heroine, a girl with a fine voice, calls on the hero to have him test her voice. The would-be crooner sees her and becomes infatuated with her. He makes himself known to her. The racketeer's flame, seeing herself about to be displaced, shoots and kills the would-be crooner. The hero is already in love with the heroine and, fearing for her "safety" at the hands of the would-be crooner, goes to his apartment to kill him. When he finds him dead he thinks that the heroine had killed him and, in order to protect her, telephones to the police that he had shot him. The heroine calls and when she learns about the murder she tells the hero that she had nothing to do with it. In attempting to escape he is shot and wounded. He reaches the broadcasting station, sings the "crooner's" song, and dies.

The story is by Tristram Tupper; the direction, by Phil Rosen. Vivian Osborne, Gail Patrick, Rockliffe Fellows, and others are in the cast.

Children under eight will not understand the sex situations. Not suitable for the others, and for adolescents. Un-suitable for Sunday showing.



them when framing their bills. The producers have not yet come to realize that the methods they have used in this industry cannot stand forever because they are unjust and unfair. If the exhibitors should be unsuccessful this time, they will be successful at some other time. The people of the United States have been inspired by the new administration and are looking forward for a new deal. Everyone is keyed up to it. And the exhibitors feel confident that, if they do not get justice from the producer-distributors they will get it from them through the government, if necessary by the aid of a thorough investigation of the industry.

## THE INCREASE OF RADIO SETS AND THE EFFECT OF IT ON THE PICTURE THEATRE BOX OFFICE RECEIPTS

According to a booklet issued by the Columbia Broadcasting Company, in the period from April, 1930, to January, 1933, the number of radio sets sold have been 9,000,000. What does this fact indicate?

People must have entertainment.

Up to within recently moving pictures were considered the entertainment of the masses. The great increase in the sale of radio sets indicates that moving pictures have not been furnishing the entertainment the people want, and since they must have entertainment they have turned to radio for it.

The failure of moving pictures to provide the entertainment the people want has been caused by the fact that the stories are, not only inane and hackneyed, but loaded with filth. Sex and horror is the main fare now; and where a picture is free of the sex problem the characters are made to utter wise cracks that are dirty and vicious.

The producers are dragging the industry into the bottomless pit. And no one can stop them; they are blind to the dictates of reason.

## REPERCUSSION FROM THE VULGARITY OF "SO THIS IS AFRICA"

Under the heading, "WHAT IS STAUNTON GOING TO DO ABOUT IT?" the March 28 issue of *The Evening Leader*, of Staunton, Virginia, published the following editorial as a result of the showing of "So This Is Africa" at the Warner Bros. theatre in that city:

"It has become increasingly evident that no dependence can be placed in the state division of motion picture censorship, as at present constituted, to prevent the showing of offensive films in Virginia. This was never more evident than last week-end, when a picture that aroused the indignation of people of all classes was shown in Staunton. Were this the only instance of the failure of state censorship, it might be overlooked, but there have been persistent indications of a moribund board.

"The *Leader* was originally not a believer in the censorship principle, but persistent failure of the moving picture producers to clean their own houses unquestionably made censorship necessary in the public interest. Some progress was made toward betterment of the films, but in recent months the picture producers seem to have determined to overcome the depression's effect on the box office by a parade of indecency that has never been attempted in this country outside of the coarsest burlesque shows in the larger cities.

"Picture people defend these obscenities by claiming that their indecency is 'all in the mind,' and 'think no evil, there is no evil.' They seem to have lost all sense of proportion through constant association with sex themes in the films.

"Efforts to obtain local relief from this situation by conference, as pointed out in an editorial yesterday, have failed. . . . The theatre manager had been warned of press denunciation if the picture in question were shown; the Mayor's supine attitude is likely to lull the Warner Bros. official into believing that 'anything goes in Staunton.'

"There is, however, a stronger authority in Staunton than the Mayor, and a more effective censorship than that of the state board. It is an aroused public opinion. That this opinion is awakened was evident yesterday evening and all

day today, when people of all classes telephoned or called at the *Leader* office to join in condemnation of last week's show and to commend this newspaper's attitude on the matter.

"But what is Staunton going to do, in a practical, effective way, to clean up the local screen? The *Leader* has some suggestions to make later; meanwhile, it will welcome ideas from its readers."

And yet Mr. Hays, instead of pointing out to the members of his organization the danger from the policy of dirt and filth in pictures, tells them that all is well with pictures; and the world that pictures are getting cleaner all the time.

How long could an industry keep alive if half of the people were telling the other half: "Don't buy the articles manufactured by this industry, they are poisonous!"? How long can this industry survive when half of the people tell the other half: "Do not visit pictures theatres; the pictures they show are moral poison!"?

The outburst of *The Evening Leader* is not an isolated case; hundreds of newspapers have at some time or other blasted the moving picture industry. Today many organizations inform their membership to keep away from all sex or horror pictures. In this manner millions of dollars are stopped from flowing into the box offices. And such a hostility will increase as time goes on, because filth and vulgarity in pictures is on the increase, on account of the financial desperation of the producers.

As long as the old leaders retain control of the industry, there is no hope.

## STAR JUMPING MR. KATZ

I have been informed by a reliable source that the terms by which Sam Katz was able to induce the Marx Brothers to sign a contract with him for their services are one hundred per cent of the profits. In other words, Sam Katz, in accordance with his written agreement with the Marx Brothers, will, if my information is accurate, make no profit whatever on their pictures; he will turn every penny over to them after deducting the cost of distribution, advertising and prints.

Those who know Sam Katz certainly cannot reconcile his business agreement with the Marx Brothers with his past actions. While head of the Paramount circuit he squeezed the producers where they could hardly make a profit; for he paid them for their film twenty per cent of the gross receipts.

The conduct of Sam Katz in this instance is no surprise to me. I can hardly believe that he has suddenly become an altruist. Is it possible that his salesmen will use the Marx Bros. pictures to sell his other pictures? They may not do it on his orders, but when they know that their company is not making any money on the Marx Bros. pictures will they not offer the Marx Bros. pictures at lower percentages, inducing the exhibitors to accept higher percentages on their other less meritorious pictures? And even if they did not do so, how much good would it do to Marx Bros. to receive one hundred per cent of the profits if their pictures were not given proper distribution?

Sam Katz has created much dissatisfaction among the stars by his offers of better terms than those they have been working under heretofore. This is deplorable coming as it does at a time when the industry needs economy and peace. Policies destructive to the morale of the artists is destined eventually to reflect upon the exhibitors themselves, for there is now just so much coming into the box offices of the pictures theatres and any one who offers extravagant terms to the stars thereby causing the cost of production to rise out of proportion to the intake is not a constructive factor and cannot benefit any one, least of all the artists.

After disorganizing the exhibiting end of the picture business by his policy of gathering in one group more theatres than he could conduct profitably, Sam Katz has gone to the Coast to bring about a similar disorganization. But it is my opinion that, if he persists in his destructive policy, his fate in production will be no different from what has been his fate in the exhibition end of the business.

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No. 16

## An Open Letter to U. S. Attorney General Cummings

The Honorable Homer S. Cummings,  
 Attorney General of the United States,  
 Washington, D. C.

Dear Sir:

Immediately after the great Democratic victory last November, in which the independent theatre owners contributed a great share by their whole-hearted support of the Democratic ticket, I resolved to write this letter to the new Attorney General, no matter who he might be, with the object of calling his attention to the many injustices and abuses the moving picture producers and distributors have been practicing upon the independent theatre owners under the protection secured them by the political influence of a former Cabinet minister.

Because the Department of Justice under the Hoover administration consistently refused to enforce the Sherman and the Clayton Acts against combinations in restraint of trade in the motion picture industry, when a few weeks after the elections the President-elect announced that he had appointed Senator Thomas J. Walsh to head the Department of Justice, the independent theatre owners were jubilant, for the fame of Mr. Walsh as a fearless prosecutor was well known to them and they felt that he would review the many complaints of anti-trust law violations made to the Department of Justice against the moving picture producers and distributors but ignored by it, and that he would uncover the mysterious forces that prevented action in most cases and delayed it in others. But now that the President has placed this responsibility upon your shoulders, the independent theatre owners, for whom I have the honor to speak, look to you to reverse the supine policy of your predecessor to the end that the law and sound government may be vindicated. And they are confident that you will not fail them, for they, like all other American citizens, have been inspired by the promise for a new deal our great President has made to the people of this nation. They feel that there has dawned on this nation a day in which equity and justice shall prevail in business, and that the "raw" deal is a thing of the past.

As a first step towards aiding you in your investigation, I am referring you to a book just published entitled "Upton Sinclair Presents William Fox"; in this book you will find evidence why the last administration did not enforce the law against the moving picture trust. As a further step, I am sending you a copy of an open letter I addressed to Senator Pat Harrison, in which I called his attention to the fact that the moving picture industry, with the exception of the independent theatre owners, is organized solidly for the benefit of the Republican party. William Fox, on page 87 of his book, corroborates this assertion, for he boldly admits that he employed the circulation of his Movietone News in the exclusive support of Presidential candidate Hoover, in violation of contractual obligations by his company with those exhibitors who had bought these newsreels for the recreation it offered to their picture patrons, and not for political propaganda.

Some of the cases that require your investigation are, in my opinion, the following:

1. UNITED STATES vs. WEST COAST THEATRES et al: When the Hoover administration came in, there were pending criminal proceedings against Fox-West Coast Theatres and against most of the big companies, members of Motion Picture Producers & Distributors of America, Inc., better known as "The Hays Association": About September, 1929, criminal information was first filed in the District Court, in Los Angeles; this was later converted into an equity suit, charging conspiracy to violate the Anti-Trust Laws, chiefly by reason of "protection"

clauses inserted in the contracts of the Fox-West Coast theatres, offering these theatres unreasonable protection against competitors, independent theatre owners. The suit was ended by the representative of the Government when the defendants asked for a "consent decree"; they were adjudged guilty and were enjoined from further discriminatory practices. But the effect of Paragraphs 5, 6, and 7 of the decree destroyed its practical value in that the remaining "prohibitions" referred only to "unreasonable" protection. This in effect affirmed the principle of "protection" and of first-run theatre rights, both of which are, in the opinion of students of law, violations of the Anti-Trust Acts.

Recently the defendants were sued in the same District Court for violation of the Court order, and the Court found them guilty, but the Department of Justice, so far as is known, took no action against them.

For your information, "Protection" is a term used in the motion picture industry to denote the time that must elapse between the showing of a picture in one theatre and another. The effect of it is to induce the picture-goers to attend the showing of a picture at the first, called "first-run," theatre, by making them understand that it will not be shown at another theatre for some time. It is a weapon employed by the "trust" theatres to reduce the business of the independent theatres, which are all subsequent-run ("second-run," "third-run," or "fourth-run," as the case may be), not only by taking most customers away from them but also by destroying the publicity value of the pictures, which value they possess when shown close to their release date. In other words, it is protection against competition.

2. U. S. vs. BALABAN & KATZ: An equity suit filed in the Federal Court of Chicago, charged Balaban & Katz and all the big distributors, members of the Hays association, with Anti-Trust Law violations, arising chiefly out of the "protection" clauses incident to the operation of first-run theatres operated by Balaban & Katz, and out of other unfair practices similar to those contained in the Government's complaint against Fox-West Coast Theatres. This suit, too, resulted in a "consent decree," rendered April 6, 1932, with the injunction that the defendants cease to demand "unreasonable" protection over their competitors or to impose on them other restrictions; but since it did not define what "unreasonable protection" is, the decree was without value and served to benefit rather than to restrain the defendants, for it did not disturb the use of "protection" clauses, and did not interfere with the operation of the "first-run" protection system, which is detrimental to the business of competitors.

3. U. S. vs. FOX FILM CORPORATION: An equity suit brought in the Federal Court, Southern District of New York, about November 25, 1929, to set aside the purchase of stock control of Loew's, Inc., by the Fox Film Corporation on the ground that it violated Section 7 of the Clayton Act resulted on April 15, 1931, in a "consent" decree, adjudging control of this stock illegal but sanctioning and authorizing the Film Securities Corporation to acquire control of this stock from the Fox Film Corporation. At about the same time, the Chase National Bank interests came into control of the insolvent General Theatres Equipment Corporation, which had previously acquired control of the Fox Film Corporation, both of which corporations had been financed largely by these interests. The consent decree referred to in the foregoing paragraph, therefore, sanctioned, in effect, the ownership of control of both Fox Film Corporation and Loew's, Inc., by the Chase National Bank interests, directly or indirectly, even though the decree

(Continued on last page)



### "Today We Live" with Joan Crawford and Gary Cooper

(MGM, April 21; running time, 113 min.)

Just fair. The first half is very slow, and the story it tells is not particularly entertaining; as a matter of fact it is depressing, for throughout the characters are shown as being unhappy because of war conditions. The heroine is shown weeping almost all the time. It is in the last half that the picture becomes exciting; this is brought about by the amazing war scenes shown—fighting both in the air and on water. These scenes are so realistic, thrilling, and unique, that one is held breathless. The water scenes show Robert Young and Franchot Tone, accompanied by Gary Cooper, going out in an open boat that looks like a motor-boat. To this boat is attached a torpedo. The boat is brought alongside an enemy ship and then it circles around the ship at a rapid pace; suddenly the torpedo is let loose and blows up the enemy ship. The closing scene, which shows Young and Tone meeting their death by crashing into a ship and thus exploding their own, is pitiful. The fact that Joan Crawford lives with Robert Young, although not married to him, is done inoffensively:—

Joan Crawford, an English girl, receives word from the War Department that her father had been killed, just as Gary Cooper, an American, arrives to take over her home which he had bought. She lives in a cottage with her servant and soon they become friends, eventually falling in love with each other. But she is pledged to Young, who, together with her brother, Tone, are at the front. She leaves home, enlists as an ambulance driver, and is stationed near her brother and sweetheart. Cooper writes to tell her that he had enlisted in the English Army. She soon reads that he had been killed. Discouraged, and realizing how much Young loved her and how dangerous his work in the Navy was, she lives with him. Her brother sympathizes and does not object. Later she learns that Cooper is alive. When he finds out she is living with Young he insults her. Thinking that Young's work is child's play he takes him up in an aeroplane and Young proves to be brave and likeable. Then Tone and Young take Cooper out on one of their assignments. It is then that he realizes how dangerous their work is and forgives Joan for her actions. Young is blinded by a shot from the enemy ship, and Joan feels that now, more than ever, she must stick by him. Cooper is assigned to bomb a battleship. But Tone and Young, knowing that Joan loves Cooper, go out in their boat determined to bomb the ship themselves. In doing so they are killed. Joan and Cooper are united.

The plot was adapted from a story by William Faulkner. It was directed by Howard Hawks. In the cast are Roscoe Karns, Louise Closser Hale, Rollo Lloyd, Hilda Vaughn.

Not suitable for children, adolescents, or for Sundays.

### "The Workingman" with George Arliss

(Warner Bros., May 13; running time, 77 min.)

A charming picture and should be liked by all, young or elderly people, for it is a story of every day life; it shows experienced old brain pitted against youthful egotism. There is much comedy, of the wholesome, penetrating kind, and also much humanity. For instance, when the uncle, as the trustee (under another name) of the young folk who owned the rival shoe-manufacturing concern, directs the policies of the company against his own company, supervised by his egotistical young nephew, there is much humor; it is caused by the fact that his experienced brain reduces the business of his own company, to the bewilderment of his nephew. When again he becomes inflexible against the young folk, his clear desire being to reform them and to save their business from the dishonest, scheming manager, one is moved by the honesty of his motives. The regeneration of his young charges, too, is appealing. There is also a charming love affair.

The story is by Edgar Franklin; the direction, by John Adolph. Bette Davis, Hardie Albright, J. Farrell MacDonald, Claire McDowell, and others are in the cast.

It will undoubtedly please children; and it should do much good to adolescents. Elderly people should enjoy it to their heart's content seeing a young egotist given a good lesson.

### "Fires of Fate"

(Powers Pictures; running time, 70½ min.)

A moderately entertaining English picture with an all English cast. Although the story is fairly interesting the action is so slow that one loses interest in the outcome; the most interesting part of the picture is the background,

that of the Sahara Desert. Sympathy is felt for the hero because of his illness which, according to the doctor, meant death within a year. Suspense is fairly well sustained in the closing scenes, when a group of tourists are captured by a band of thieves:—

In the development of the plot the hero, in order to make the most of his year, takes a trip up the Nile, and falls in love with the heroine, one of the tourists; she returns his love. A group of the tourists, together with a guide, go sight-seeing, and are captured in the desert by an outlawed gang who expect to hold them for ransom. In an effort to save the heroine from one of the ruffians the hero is struck over the shoulder with a gun. Word is sent to the Camel Corps, who set out to rescue the party. They arrive in time to save the group. Back at their quarters the doctor notices a change in the hero, and upon examination finds that the blow had helped him and that he would not die. There is a happy reunion between the hero and the heroine.

The plot was adapted from a story by Conan Doyle; it was directed by Norann Walker. In the cast are Lester Matthews, Kathleen O'Regan, Dorothy Bartlam, Jean Cadell, Donald Calthrop, and others.

Suitable for children, adolescents, and for Sundays.

### "Trick for Trick" with Ralph Morgan, Victor Jory and Sally Blane

(Fox, April 21; running time, 68 min.)

Fair! It revolves around the enmity that exists between two magicians. Naturally many tricks are performed, and the audience is later shown how some of them are done. It also shows how seances are faked. The photography is good, particularly in the scenes that create the illusion of having a floor disappear; the magician is shown walking through empty space. But there is little to the story to hold one's attention. At times it becomes quite nonsensical. The closing scenes are fairly exciting; one of the magicians is killed, and several people are suspected of the crime.

In the development of the plot Ralph Morgan, a magician, promises his friend, a detective, to help him trap the murderer of a certain girl. Morgan suspects his former partner, Victor Jory, also a magician, and invites him to a seance at his home. Sally Blane and her father, frequent visitors at Morgan's home where her father comes for spiritual comfort due to his unhappiness because of the death of his wife, are invited also. Sally's fiancée, a young man who suspects Morgan of being the murderer, is also there. During the seance at which Morgan brings back the "spirit" of the dead girl, Jory is killed. It finally develops that the doctor who had come with Jory to the seance to watch Morgan's condition while in a trance was none other than the father of the murdered girl and that he had killed Jory while the lights were out, thinking it was Morgan. Morgan proves his innocence and Jory's guilt. Morgan shows his guests how the several tricks were done and the illusions created. Sally's fiancée asks Morgan to forgive him for having suspected him.

The plot was adapted from the play by Vivian Cosby, Shirley Warde and Harry W. Gribble. It was directed by Hamilton MacFadden. In the cast are Luis Alberni, Tom Dugan, John George, Booth Howard, and others.

Children may be frightened; suitable for adolescents and for Sundays for those who care to show it on such a day.

### "The World Gone Mad" with Pat O'Brien and Mary Brian

(Majestic Pictures; running time, 72 min.)

A fairly exciting melodrama; it arouses human interest and suspense, and although at times the story is implausible it holds one's attention to the very end, particularly because of the danger to several of the characters. Comedy is brought about by Pat O'Brien, as a newspaper reporter. The gangster element is worked into the picture, but at no time does one feel any sympathy for them; instead they are shown as being murderous, and in the end pay for their misdeeds. Sympathy is felt for the heroine and also for the hero, particularly when they part because of the hero's loyalty to his duties as District Attorney. The closing scenes are the most exciting.

The plot was adapted from a story by Edward T. Lowe. It was directed by Christy Cabanne. In the cast are Neil Hamilton, Evelyn Brent, Mary Brian, Louis Calhern, J. Carroll Naish, Buster Phelps, Richard Tucker, John St. Polis, and Geneva Mitchell.

Not suitable for children, adolescents, or for Sunday showing.



**"Under the Tonto Rim" with Stuart Erwin***(Paramount, April 7; running time, 59 min.)*

The presence of Stuart Erwin lifts it somewhat from the ordinary class of westerns. There is some comedy, considerable action, and in the closing scenes there are some thrills. The mild laughs are caused by Erwin's characterization; he impersonates the role of a simple-minded cowboy. The thrills are caused when Erwin discovers where the villain had hidden the stolen cattle and when the fight follows. There is also a charming love affair:—

Fred Kohler, foreman of a ranch, kept stealing his boss' cattle; he was in league with the fiancée of his boss' daughter (Verna Hillie). Kohler puts Erwin to watch the cattle that night knowing fully well that he would go to sleep. So more cattle disappear. Kohler upbraids Erwin and makes him believe that, unless he skipped the country and went to Mexico, he would be put in jail and might possibly be lynched. So Erwin bids Verna goodbye, and, in company with Raymond Hatton and Fuzzy Knight, they go to another state and start a pig ranch. Erwin dislikes being mixed up with pigs and after a while his two pals take him across the border to Mexico to give him a good time. There he again meets Verna, who thinks that he is a bad man and regrets it. He beats Verna's fiancée, and abducts Verna. A posse follows him and corners him in an abandoned shack. As chance would have it the shack proves the very hiding place for the cattle stolen by Kohler. When he proves this to Verna and to her father, the posse arrests Kohler and his gang. By this time Verna had fallen in love with Erwin.

The story is by Zane Grey. It was produced by Paramount once before—in 1928; the direction, by Henry Hathaway.

Good for children, adolescents and for Sundays, if you are in the habit of using westerns for the purpose.

**"Daring Daughters" with Marian Marsh***(Tower Productions; running time, 60 min.)*

Mediocre! It is slow-moving and fails to hold the interest; the story is trite, the photography and sound poor, and the characters do not arouse any sympathy. It becomes tiresome watching the heroine and her sister ward off the attentions of men; the situation in which the villain attempts to seduce the young sister, first getting her drunk, is ugly. The actions on the part of the heroine in obtaining money falsely from the hero makes one lose all sympathy for her:—

The heroine, cynical and hard-boiled, has no faith in men. She guards her younger sister against attentions from men, and refuses to permit her to marry because the young man did not earn enough money. She meets the hero, nephew of a wealthy stock broker, who had his office in the hotel where she works, and at first thinks he is like all the rest of the men; but she soon finds out he is different. One night the sister joins a group of people going to a party at the villain's home. He insists on her drinking and when she becomes intoxicated he tells the girls to put her to bed in his room. He then tells everybody that the party is over. But his plans are upset when he finds that one of the girls had remained over to protect the young sister. The heroine, realizing that her sister would be better off married, consents. The young man needs money to go into business. The heroine, by lying to the hero about a sick grandmother, obtains one thousand dollars from him which he had taken from his uncle's firm. He replaces the money but the heroine feels that it is for the best that they part. But explanations follow and they are reconciled.

The plot was adapted from a story by Sam Mintz. It was directed by Christy Cabanne. In the cast are Kenneth Thomson, Joan Marsh, Bert Roach, Allen Vincent, Lita Chevret, Richard Tucker, and others.

Not suitable for children, adolescents or for Sundays.

**"Zoo in Budapest" with Loretta Young and Gene Raymond***(Fox, April 28; running time, 83 min.)*

Excellent! The production is artistic, the background novel, the love affair tender and romantic, and the photography, particularly the close-up shots of the animals, showing them in their different moods—hungry, playful and sleepy—exceptionally fine. Although the story is slow in getting started, the interest is held because of the charm of the surroundings; after the first half, however, it picks up speed, and the closing scenes, showing the various wild animals released from their cages by an elephant that had gone wild, are the most exciting yet shown in this sort of pictures. In addition, human interest is injected into these

scenes by the presence of a child whose life is endangered. One is held in suspense because of the fear for the child's life. Children will find the zoo scenes entertaining, as will adults who will appreciate also the picture's artistry:—

The hero is permitted to live at the zoo where his father, before his death, had been head keeper. He loves animals, and he understands them. Whenever he sees in the zoo a woman with a fur scarf he, feeling it is cruelty to animals, manages to steal it and afterwards burn it. This brings about trouble for the zoo, but the director understands the hero and will not have him arrested. The heroine, an orphan, comes weekly to the zoo with a group of orphans, and the hero is so attracted by her that he urges her to escape. This he does by addressing his remarks to the animals when she is near. She escapes, and he hides her in an empty bear cave. A young child had escaped from his nurse and was hiding in the zoo. The hero finds him and puts him in the same cave with the heroine. The police are searching for the three of them. The little boy escapes and rushes into the wild animal house. A keeper, who had been locked in one of the cages, asks the boy to lift the handle. The child lifts the wrong one and frees a tiger. He rushes into the basement and closes the barred door. The tiger springs on the elephant and this so enrages the beast that he goes wild and knocks down and opens all the cages. The animals enter into a terrific fight. The police in the meantime had captured the hero and the heroine, but when they hear the noise, they all rush to the animal house. Seeing the child in danger the hero offers to save him. He is lowered into the pit and saves the child but a tiger attacks and wounds him. He is saved. The child's father, in appreciation, engages the hero and the heroine to live on his estate as caretakers. They marry.

The plot was adapted from a story by Melville Baker and Jack Kirkland. It was directed by Rowland V. Lee. In the cast are O. P. Heggie, Wally Albright, Paul Fix, Ruth Warren, and others.

Suitable for children, adolescents and for Sundays.

Substitution Facts: This is replacing No. 36 which is listed on the contract as "Desert Flame," from the play by Pierre Frondale entitled "L'Insoumise." It is a story substitution. But no exhibitor can afford to reject it.

**"High Gear" with Jackie Searl and Joan Marsh***(Goldsmith Prod.; running time, 65 min.)*

A fair program picture; it has human interest, and the actions of the characters arouse sympathy for them. One respects the hero who, for the sake of his dead pal's son, gives up all his savings to put the boy through a good school. The heroine, too, is sympathetic for she does not spurn the hero's attentions when he falls from the ranks of a crack auto racer to a taxicab driver. There is comedy aroused by a Jewish couple who have the interests of the young boy at heart. There is suspense in the closing scenes when the hero races with the boy, who had been injured, in an ambulance to the hospital:—

The hero and his mechanic meet with an accident during an automobile race. The mechanic is killed and the hero decides to bring up the man's son. He sends him to a military academy. He finds that he has lost his nerve and cannot race. Feeling that the heroine, a newspaper reporter, would not care for him if she knew this he gives her up and she does not know what happened to him. He drives a taxicab and everything he earns goes to the support of the boy. A newspaper columnist makes an announcement over the radio telling the listeners-in about the hero. The young boy hears this and determines not to be a drain on the hero any longer. He sneaks away from school and goes to the hero. In the meantime, the hero, thinking that the heroine had told the columnist about him, for she had met him earlier in the day, rushes to the newspaper office and tells the heroine that he wants nothing more to do with her. When he arrives home the young boy enters. The hero is angry at the boy for having run away from school. Just then some taxicab drivers who had a grievance against the hero start to wreck his cab. He, together with the boy, rush downstairs and the boy is injured by one of the men. An ambulance is called and the hero drives it to the hospital. The boy recovers and the hero regains his courage. Once more he becomes a famous racer. He is reconciled with the heroine.

The plot has been adapted from a story by Rex Taylor, Leigh Jason and Charles Saxton. It was directed by Leigh Jason. In the cast are James Murray, Eddie Lambert, Theodor von Eltz, Ann Brody, Mike Donlin, Lee Moran.

Suitable for children, adolescents, and for Sundays.



declared the control of Loew's, Inc., by Fox Film Corporation illegal.

By the first part of July, 1931, some one must have realized that this position was legally untenable and a supplemental consent decree was entered instead. The Court appointed three trustees (the former U. S. Attorney General Gregory, former Judge Hazel, and Thomas Nelson Perkins, who was a member of the firm of Lee Higginson and Co.) to guard against any further violations of the Anti-Trust Laws.

For grotesque legal absurdities, these decrees are, in the opinion of students of law, unknown in the history of the Anti-Trust Laws, even under other Republican administrations.

According to the *New York Times* of April 2, 1933, further changes in the status of the Loew stock control was imminent. The names of the following companies were given as being interested in the Loew stock: Chase Securities Corporation, Western Electric Company, Hayden Stone & Co., Dillon Reid & Co., The Atlas Corporation, Chemical Bank & Trust Co., Manufacturers Trust Co., First National Old Colony Corporation, Banca-America Blair Corporation, U. S. Securities Corporation, and Philadelphia National Bank.

4. **U. S. vs. WARNER BROS., INC.:** An equity suit to set aside the stock control of First National Pictures, Inc., by Warner Bros. as a violation of Section 7 of the Clayton Act has been postponed regularly ever since it was filed November 25, 1929. In the meantime the two companies have merged their physical properties without an interference by the Department of Justice.

5. **U. S. vs. UNITED THEATRE CIRCUIT:** An equity suit brought recently by the Department of Justice against this company under the Sherman Act, involving the overbuying of pictures and the imposition of "unreasonable and discriminatory protection" against the independent theatre owner competitors, has been allowed to lapse; no effort has so far been made to prosecute it to a conclusion.

6. **U. S. vs. METRO-GOLDWYN-MAYER, et al:** Criminal information filed in the Federal Court, in Chicago, about March 27, 1928, against Metro-Goldwyn-Mayer and most of the other distributors, members of the Hays association, charging criminal conspiracy to withhold pictures from all Chicago independent theatres, forcing such theatres to shut down, even though these had valid contracts for such pictures, came to naught. No one seems to know why the Department had brought that suit, for the offense had been committed one year previously to the filing of the suit; it had arisen out of labor dispute between a producer circuit and the Operators' Union, in which the film distributors, in order to force the Union to come to terms, ordered that all film be withheld from all theatres, so that the theatres, unable to operate, would shut down and thus penalize the operators by throwing them out of work.

In 1928 there was much talk among the independent theatre owners about appealing to Congress for an investigation of the motion picture industry, and the supposition is that the Department of Justice, fearing criticism at the hands of the Congressional Committee that would naturally be appointed had an appropriate resolution been adopted by either House, took this action. But when the agitation for an investigation subsided, all efforts of the Department officials to carry the suit to an end were dropped. Although this did not happen during the Hoover administration, it serves to prove the supine policy of the Department of Justice under Republican administrations.

7. **FEDERAL TRADE COMMISSION vs. FAMOUS PLAYERS-LASKY CORPORATION:** When a proceeding involving the validity of an order of the Federal Trade Commission against "block-booking" resulted in a decision against the Commission in the Circuit Court of Appeals, no appeal was taken to the Supreme Court.

A close investigation of this case would, I am sure, prove astounding to you. For several years the government carried on an investigation against Famous Players-Lasky, for its monopolistic activities, through Block-Booking, acquisition of theatres, and other means, spending hundreds of thousands of dollars collecting evidence. During the time of this investigation, the political complexion of the Federal Trade Commission underwent many and varied changes. When the case at last came to trial, it had been so emasculated by Commission Counsel that there were no issues left to be tried, and on April 5, 1932, the Circuit Court of Appeals dismissed the order of the Federal Trade Commis-

sion. Thus more than one-half millions of dollars of the people's money were wasted and several years' efforts sacrificed. The articles I am sending you by mail may help you understand some of the facts more clearly.

It is hardly necessary for me to enumerate other cases to prove to you that from the time Will H. Hays became the president of the producers' association not an effective step was taken by the Department of Justice to put an end to the Anti-Trust Law violations in the motion picture industry. Complaints made by theatre owners from every state of the Union to this Department that the producer theatres made it a practice of buying more pictures than they needed so as to shut off product from the independent theatre owners, competitors of theirs, their object being to force them either to shut down their theatres or to sell them to one of the producers at a loss, proved of no avail; the political immunity the producers enjoyed under the Republican administrations, particularly under the administration of Hoover, was like a stone wall.

So discouraged were the theatre owners that through their national organization they sought to end this system of "peonage" by a Congressional investigation as well as by the enactment of proper laws. They introduced in Congress two measures for the purpose. But even in this they were unsuccessful, for the same hidden forces neutralized their efforts to obtain justice. They have not pressed these measures since March 4 because, feeling confident that President Roosevelt will come to their aid in their just claims, they have thought it best to give him time to organize himself before seeking his aid.

During the past four years the producers have been steadily tightening the rope about theatre owners' throats. The theatre owners have brought actions in their own behalf but the trust usually did not contest them, or, if defeated, did not appeal, so that no authoritative rulings have been had. The Youngclaus case in the U. S. District Court in Nebraska is a case in point. The files of the Department will disclose the facts about this case. Similar proceedings are pending in Massachusetts, New Jersey, Minnesota and many other places. But only the Attorney General, proceeding in the name of the United States, can get general relief. Therefore, the independent theatre owners are absolutely dependent on you.

If you or some one in whom you have confidence will examine the files of the Department during the past four years you will find numerous complaints of clear violation of the Sherman Law which were either completely ignored or else resolved on representations made by agents of the producers or attorneys of the Hays Association.

As an experienced politician you, of course, know that on a change in administration the employees who have been most cooperative with outside interests always try to insinuate themselves into the good graces of the new officials. I know that the theatre owners can rely on you to ferret out the channels through which the influence of the motion picture trust has reached into the Department of Justice, with all their ramifications, and rest assured that the independent theatre owners are ready to cooperate with you through their national organization to the end that justice against oppression and tyranny may be obtained.

Very sincerely yours,

P. S. HARRISON.

## OUR BRITISH PICTURE BRETHREN RIDING FOR A FALL

For a long time this paper held the hope that the British producers, having learned a great deal about picture production since sound came, would give the American producers a stiff race. But judging by the late releases that have come from England I can say that I have been utterly disappointed. There is no originality in them and they bear the marks of aping the American productions. This is noticeable particularly in the matter of vulgarity. I saw a British Gaumont picture ("After the Ball") recently and all I can say is that it is vying with the dirtiest talk in American pictures. The British seem to be trying to outdo the American producers in vulgarity.

It is too bad that the British producers are following the footsteps of the American producers. They had a great opportunity of striking out for themselves and putting production on a high level, particularly since graft, as I have been informed reliably, is unknown at the studios in England; unfortunately they have turned out imitators. And the best one can say about imitations is that they are *imitations*.



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## GET BACK OF THE SIROVICH RESOLUTION!

Last week I sent the following appeal to Congress:

"Lobbyists working for the interests of the moving picture producers are now in Washington exerting superhuman efforts to kill Resolution H. 95, which has been introduced by Mr. Sirovich for the purpose of having a committee consisting of House members investigate the moving picture industry, with a view to finding out what has become of nearly two billion dollars the American public has invested in moving picture stocks and bonds, and to bring to light whatever irregularities in the handling of this money it may discover.

"The reasons assigned by these lobbyists to justify their activities against this Resolution is their belief that an investigation at this time will do the industry harm rather than good in that it will frighten the bankers to such an extent that they will refuse to lend to the producers the necessary money to carry on production, with the result that the theatres will be compelled to shut down for lack of product.

"As the representative of thousands of independent theatre owners who are in favor of an investigation, allow me to present to you some facts that will offset the assertions of these lobbyists.

"Those of the bankers who have been financing some of the big film concerns will not be frightened by an investigation, for they have been frightened long ago because of the losses they have sustained as a result of the mismanagement, high salaries of stars as well as of executives, of waste and graft in the companies they have financed, compelling some of them to notify the producers whom they have been financing that there will be no more money. One banking group alone has put in more than one hundred million dollars, little of which it hopes to salvage. Other banking groups have had similar experiences.

"An investigation, instead of doing harm, will do good, for there are millions of dollars of small investing corporations that will be poured into the industry as soon as the stranglehold of the trust is broken. And only a Congressional Committee can accomplish this, for it will uncover the graft that has sapped the very vitals of the industry and will drive all the incompetents and the dishonest executives away. As long as the present setup continues to rule it, there is no hope of salvation.

"Information has leaked out to the effect that these lobbyists have been instructed to favor an investigation by the Federal Trade Commission in case they should learn that they cannot prevent the passage of the Resolution. Let me say to you that an investigation by this Commission will be a waste of good money and of efforts. Look at what has happened to the investigation of Famous Players-Lasky Corporation by this Commission, even though it spent more than one-half million dollars of the people's money in collecting evidence over a period of time lasting nearly eight years. You may obtain all the facts from the files of the Federal Trade Commission.

"In the meantime, the theatre-owning producers have instructed their theatre managers to telegraph to you and to have their friends telegraph, too, informing you that they do not want an investigation, and you, thinking that these protests are genuine, may be inclined to heed them.

"Will H. Hays, who has been head of the moving picture industry for more than eleven years, at a salary of \$260,000 a year for at least seven years out of the eleven, does not want an investigation, for the Congressional Committee might inquire of the bankrupt companies why they are continuing to pay to the treasury of the Hays organization one-half of one per cent of their gross receipts when the money people invested in their securities has been a total loss. Nor do the producers want it, for it might ask them what they have done with the money they received

from the public for stocks and bonds that are now either worthless or practically so. I know of one case where \$750,000 was paid by a film company for a piece of ground that could have been bought, according to real estate experts, for about \$250,000. It is my belief, in fact, that the scandals, a Congressional Committee will uncover will be more sensational than the Tea Pot Dome scandals; and more cruel, for in the case of the Tea Pot Dome the one that had been defrauded was the United States Government, whereas the ones defrauded in the moving picture industry have been to a great extent widows and orphans.

"The moving picture industry is corrupt.

"Can it be saved?

"Yes, of course! But only by a major operation.

"Let Congress, then, act as the surgeon!"

In addition to the members of the House of Representatives, I sent copies also to every Senator and to every member of the President's Cabinet. In the same envelope, I put in a copy of last week's issue, which contains the open letter to Attorney General Cummings.

It is possible that some of you are not acquainted with the details of the Sirovich Resolution (H. 95.)—what it aims to accomplish.

The chief object of this resolution is to look into the reckless methods with which moving picture securities were financed, by which methods the public has been despoiled of nearly two billion dollars. Section 2 of the Resolution reads as follows:

"The committee, or any duly authorized subcommittee therefore, is authorized and directed—

(1) to sit and act at such times and places as may be necessary to hold hearings to conduct investigation and study of all matters relating to production, licensing, sale, distribution, financing, incorporation, commercial operations, banking, theatre leasing or ownership, realty, sound production, and all other related and interrelated combinations, affiliations, and organizations of production, distribution, license, lease or sale and presentation or exhibition of the product of and by organizations of all character engaged in and/or associated or affiliated or financially or commercially interested in the motion and sonant pictures industry and of all matters and acts relating to or concerned with the issuance and/or sale or hypothecation of motion and sonant pictures industry securities of all forms by such organizations directly or through agents or other means, or by banking or security-selling organizations or their associates or affiliates; . . .

(3) to investigate and inquire into the dissipation of the assets of the various companies in the payment of exorbitant and unmerited salaries and other forms of compensation to executives, actors, directors, stage managers, and other officers and employees. . . ."

You see from the foregoing that the language is broad enough to enable the committee to look into the unlawful and oppressive practice of the producer-distributors you have been complaining of, such as, block-booking, unreasonable protection, and purchasing all runs so as to shut off all product from a competitor in violation of the Anti-Trust laws. But what should concern you more than anything else is the fact that the Resolution empowers the committee to make an exhaustive investigation of the building and acquisition of theatres by the producers. Certainly you realize the need of throwing a light upon the motives that prompted the producers to build theatres against independent exhibitors, and the methods they employed to accomplish their object.

The introduction of this Resolution has already accomplished much good, for it has brought to the attention of Congress the lobbying methods of the Hays association. No

(Continued on last page)



**"Picture Snatcher" with James Cagney***(Warner Bros., May 6; running time, 76 min.)*

Although this is a fast-moving comedy-melodrama, holding one's attention in a fairly gripping manner, it depends for most of its comedy situations on vulgarity and rowdiness. Some of these situations are embarrassingly vulgar, particularly those in which Alice White attempts to make love to Cagney; she leaves little to the imagination. Another unpleasant situation is where Cagney visits a girl to get from her information as to the whereabouts of a gangster; in order to get this information he is forced to make love to her and it becomes extremely suggestive both in action and talk. As in all Cagney pictures, comedy is brought about by his breezy manner in dealing with people. However, his actions towards women are as offensive and demoralizing as ever, for he slaps and throws them around. The way he procures pictures for his newspaper, although offensive, will arouse laughs. The closing scenes are exciting. There is a pleasant romance between Cagney and Patricia Ellis:—

When Cagney is released from prison he tells his gang he is through with racketeering. He takes a position as photographer for a tabloid newspaper, and wins favor with Ralph Bellamy, managing editor; also a raise in salary, by the daring snapshots he takes. Patricia Ellis, together with some college students, calls at the newspaper for a class lesson, and is shown around by Cagney. They become friends and soon are in love. Her father is the policeman who had arrested Cagney and when he finds out they are friends he warns Cagney to stay away. With the help of Bellamy he procures a promotion for Patricia's father and this brings about a reconciliation. Through the courtesy of Patricia's father, he gains admittance into the death chamber at Sing Sing and secretly photographs the woman sitting in the electric chair. The publishing of the picture in his tabloid causes a scandal and the father is demoted. Again Cagney and Patricia are parted. Bellamy resigns from the paper, and he and Cagney decide to look for employment on a decent newspaper. Cagney's former gangster pal kills two policemen. Cagney, seeing a way to become famous, finds the hiding place and goes there. He makes the gangster believe he wants to help him. Soon the police arrive, and start shooting at the apartment. The gangster is finally killed. When the police enter and find Cagney he tells them he went there on instructions of Patricia's father and gives the father all the credit. The father is again promoted. Cagney and Bellamy, because of pictures Cagney had taken in the apartment, showing the gangster's death, obtain positions on a good paper. Patricia and Cagney are united.

The plot was adapted from a story by Danny Ahearn. It was directed by Lloyd Bacon. In the cast are Ralf Harolde, Robert Emmet O'Connor, Robert Barrat, Barbara Rogers and others.

Not suitable for children, adolescents, or for Sundays.

**"The Man They Couldn't Arrest"***(Gainsborough Pictures running time, 69 min.)*

The editing and sound are so poor, and the acting and action so slow, that they spoil what might have been an interesting melodrama. The theme is novel in that the hero uses scientific inventions with which to trap the criminals. Suspense is fairly well sustained throughout because of the danger to the hero when the criminals discover his whereabouts. The closing scenes are exciting; there the hero traps the chief of the criminals:—

The hero, a scientist, by means of a radio device, is enabled to listen in to plottings of crooks known as the Black Pearl Gang. He overhears them plan a jewel robbery and then to his amazement he hears the name of the heroine's father mentioned as the man who will lead the crooks. The hero is in love with the heroine and in order to save her from disgrace sends a unsigned note to the father warning him to stay away from the robbery; he then notifies Scotland Yard of the plot. The inspector at Scotland Yard does not know the hero's identity, knowing him only as "The Ghost," as he called himself. It develops that the heroine's father finds out about the hero and goes to his rooms to kill him. The hero subdues him and the father is about to give him the name of the chief when he is killed by the chief, through a window. The hero escapes and telephones to the heroine to have faith in him. He is finally able to trap the chief and turn him over to the police. He is congratulated by the inspector on his good work. The hero and the heroine are united.

The plot was adapted from a story by "Seamark." It

was directed by T. Hayes Hunter. In the all English cast are Hugh Wakefield, Gordon Harker, Garry Marsh, Nicholas Hannen, Robert Farquharson, Renee Clama and Dennis Windham.

Suitable for children, adolescents and for Sunday showing.

**"Supernatural" with Carole Lombard***(Paramount, May 5; running time, 64 min.)*

This belongs in the cycle of horror pictures, and although eerie enough it is unpleasant entertainment; it does not hold one's interest because it is wholly unconvincing, and could appeal only to morbid natures. The situation that shows H. B. Warner, a scientist, experimenting with the dead body of Vivienne Osborne, who had been electrocuted, is sickening, particularly when the eyes suddenly open. It is also horrible to watch Allan Dinehart murder both a woman and a man by inserting a deadly poison into their bodies by means of a ring. Some sympathy is felt for Carole Lombard, particularly when she is under the spell of the dead woman:—

When Carole Lombard's twin brother dies, Allan Dinehart, a fake spiritualist, sneaks into the house where the coffin is and makes a death mask of the boy. His intention is to use this in seances at which Carole will be present, and so influence her to give him part of her money. At the same time Vivienne Osborne, Dinehart's former mistress, is awaiting death in the electric chair for having strangled to death two men. H. B. Warner, a scientist, requests the State to turn over Osborne's body to him after death for experimental purposes. His theory was that the evil spirit of people passes into that of living people. During an experiment with the body Carole Lombard enters his room to tell him about the seance at which she saw her brother. She stares at the body and the spirit of the murderess passes into her. She becomes a changed person and, egged on by Osborne's spirit, she becomes friendly with Dinehart and takes him to her yacht. Her intention is to choke him to death, which had been Osborne's dying wish. But she is saved from doing this by the timely arrival of Randolph Scott. While attempting to escape from the yacht, Dinehart, who is frightened, is accidentally caught in a rope by the neck and dies. It is then that Osborne's spirit leaves Carole and she becomes her old self.

The plot was adapted from a story by Garnett Weston. It was directed by Victor Halperin. In the cast are William Farnum, Beryl Mercer, Willard Robertson and others.

Not suitable for children, adolescents, or for Sundays.

**"M"***(Foremco Pictures Corp; time, 66 min.)*

This is a foreign picture, done with superimposed English dialogue.

It is a sensitive, pathetic and at the same time harrowing and gruesome account of a pathological killer, a man who cannot resist the desire to kill little girls.

The picture is only for people with strong nerves and stomachs, for some of the situations leave one trembling with the horror of it. For instance, the situation that shows this killer noticing a young child, and his approach to her, is extremely horrifying, for one knows what is in store for the child. With all this one pities the man because he is mentally ill and cannot subdue his emotions or control his actions.

The audience is held in tense suspense throughout, particularly when the criminals, angry because they were being accused of the murders, and harassed because of them, decide to find the killer themselves. The manner in which they go about it makes one feel as if an animal were hunted. The situation that shows them surrounding the building in which he was hiding, and his frantic efforts to escape is dreadful, as is the situation in which the criminals hold their own court to try this man. His pitiful pleas and screams for mercy will leave one cold with horror.

This picture cannot be called entertainment. It really should be shown to criminologists, to physicians, and to people connected with organizations combating crime, or to the intelligentsia. It is much too morbid and horrible for the average picture-goer.

The plot was adapted from a story by Thea von Harbou, and directed with skill by Fritz Lang. Peter Logre acts the part of the criminal in an amazingly realistic manner. Others in the cast are Ellen Widmann, Inge Landgut, Gustaf Grundgens, Fritz Gnass, Fritz Odemar and Paul Kemp.

It cannot possibly be shown to children or to adolescents; not for Sunday showing.



# "Made On Broadway" with Robert Montgomery, Sally Eilers and Madge Evans

(MGM, May 19; running time, 67 min.)

Only moderately entertaining. The characters are unsympathetic, particularly Robert Montgomery, in the role of the hero, who becomes enmeshed in an affair with Sally Eilers, trusting her, when it is very evident by her actions that she is not to be trusted; he behaves in a boorish manner towards Madge Evans, his divorced wife, when she attempts to open his eyes as to the girl's character. It is demoralizing, too, for it shows Sally Eilers killing a man, and Montgomery, because of his influence, working up sympathy for her and procuring her freedom. Some laughs are aroused by the way in which she fools Montgomery, but the laughs do not occur often enough and for the most part the action is slow:—

Robert Montgomery, a famous publicity man, is divorced from Madge Evans because she professed to be as intelligent as he was and wanted to live her own life. While crossing from New Jersey to New York in a ferry he leaves his car for some air. Sally Eilers, seemingly in distress and poorly dressed, notices him and his expensive car, and then jumps into the river. Montgomery dives in after her and saves her. His secretary gets in touch with newspaper men and Montgomery coaches Sally as to what she is to say. But when the men arrive Sally gives them her own story—that Montgomery had fallen in and she saved him. Montgomery admires Sally's nerve and brains and promises her a career. He brings her to Madge Evans, who fits Sally out with fine clothes, and then he puts her in the Follies. Soon she is the toast of the town, and Montgomery is helplessly in love with her. He is awakened one night by a telephone call in which Sally tells him she had shot a man and he rushes to her apartment. He telephones many important people, friends of his, for aid, and arranges Sally's story so as to make it appear as if the man had attempted to attack her; the truth was that she had killed him because he wanted a percentage of what she intended to get from a millionaire who had sent her love letters. Sally is freed and Montgomery goes to her apartment with her and asks for the letters. She refuses to give them to him and he takes them and then burns them. She insults him and his eyes are finally opened as to what sort she is and he leaves her in disgust. He sails for Europe and cables Madge Evans to join him. When he goes to his stateroom he finds Madge there; she had followed him because she realized they loved each other.

The plot was adapted from a story by Courtenay Terrett. It was directed by Harry Beaumont. In the cast are Eugene Pallette, C. Henry Gordon, Jean Parker, and others.

Not suitable for children, adolescents or for Sundays.

# "The Big Cage"

(Universal, March 3; running time, 77 min.)

Good entertainment. The main attraction is the thrill provided by Clyde Beatty, the young animal trainer, who enters a cage with twenty lions and twenty tigers, using as a means of protection only a chair, a whip, and a gun with blank cartridges. His courage in facing these animals, forcing them to go through tricks, will fill the spectator with both admiration and trepidation. A few other thrills are caused on three different occasions when one of the tigers escapes from his cage and is forced back by Beatty's daring; also when, in the closing scenes, a storm breaks out during Beatty's performance and causes the partial collapse of the tent, freeing the animals. The action is considerably slow, since the story is thin, and most of the action centers around Beatty and his animal act. It should, however, please those who enjoy circuses, particularly children, for the atmosphere is realistic.

Human interest is injected into the story by the presence of Mickey Rooney, the child of a broken-down former animal trainer. When the father is killed by the tigers, Beatty takes care of the boy and they become pals. Some comedy is provoked when Rooney, in order to show his courage, undertakes to train a lion cub. Mild comedy is excited also whenever Cince Barnett and Andy Devine, two caretakers, get together. The romantic interest is provided by Wallace Ford and Anita Page.

The plot was adapted from a story by Clyde Beatty and Edward Anthony. It was directed by Kurt Neuman. In the cast are Raymond Hatton, Reginald Barlow, Edward Piel, Robert McWade, Wilfred Lucas and James Durkin.

Good for children, adolescents, and for Sundays.

SUBSTITUTION FACTS: Universal has changed the release number of "The Big Cage" from 5030 to 5006. On the contract 5006 is listed as "Laughing Boy," from the novel by Oliver La Farge. It is, therefore, a story substi-

tution; but since "The Big Cage" is a very good picture of its kind while "Laughing Boy" would have made an "atrocious" picture, it is unnecessary for anyone of you to demand arbitration in accordance with the terms of the contract—and unwise. You should accept it.

# "Man Hunt" with Junior Durkin

(RKO, March 24; running time, 61½ min.)

Although the story is not substantial enough to hold the full attention of adults, it is good entertainment for juveniles; they will sympathize with the seventeen year old hero who is so preoccupied with thoughts of being a detective that he cannot hold a regular position. Suspense is fairly well sustained throughout, particularly in the closing scenes where the hero is shown cornering the criminal, thereby avenging the death of the heroine's father, who had been murdered by this criminal. At the same time the hero collects a reward of ten thousand dollars for having found the missing diamonds which the heroine's father had stolen and then, remorseful, had hidden so as to return them to the police. The hero is thus enabled to help his widowed mother; also the heroine, who had been left an orphan by the death of her father. Comedy situations are provoked by the hero and his young negro assistant, who take their detective work seriously.

The plot was adapted from a story by Leonard Praskins and Sam Mintz. It was directed by Irving Cummings. In the cast are Charlotte Virginia Henry, Mrs. Wallace Reid, Arthur Vinton, Carl Gross, Jr., Edward Le Saint and Richard Carle.

Suitable for children, adolescents, and for Sundays.

SUBSTITUTION FACTS: Although you cannot pin RKO down on substitutions since neither the contract nor the worksheet contains names of authors, yet "Man Hunt," which is released under number 31154, is taking the place of "The Faithful Are Forgotten," which, according to the press sheets sent out by RKO at the time their new product was announced, was to have been based on the famous Wallace Irwin novel "Lew Tyler's Wives." It is therefore, a story substitution.

# "A Bedtime Story" with Maurice Chevalier

(Paramount, April 21; running time, 86 min.)

Excellent! It is the type of entertainment that should please all types of audiences, both young and old, for it has human interest, excellent comedy, and good acting. In addition, one year old Baby Leroy, around whom the action revolves, is so lovable and so natural that it is a joy to watch him coo, smile, and even cry. Although a rather sentimental story, it at no time becomes oversentimental. The first half, which shows Maurice Chevalier and his servant, Edward Everett Horton, entertaining and caring for the baby, will provoke hearty laughter, because of the clumsiness of the "fathers." For instance, not knowing how to bathe the baby, Chevalier, in his pyjamas, goes into the sunken pool and then takes the baby into it. When the baby cries, Horton is forced to stand still while Chevalier sprinkles him with water to amuse the baby. All the scenes with the baby are good, particularly one where the baby, dressed in Chevalier's pyjamas, and sleeping in a very large bed, suddenly awakens and calls for Chevalier. This scene is a treat.

The story is simple. Chevalier, a Parisian, is a man about town. He is engaged to be married but this does not prevent him from having many affairs. A poor couple leave a baby in his automobile and when he arrives home he is at first shocked and then worried about the child's parentage, particularly when Horton detects a resemblance between Chevalier and the baby. Chevalier calls for the police; but by the time the officer arrives he becomes so attached to the child that he decides to keep him. Helen Twelvetees is engaged as the baby's nurse and Chevalier is attracted by her simplicity. He even enjoys staying home at nights. Certain that his fiancée will love the baby, he takes the baby, the nurse, and Horton to his fiancée's country home for the week-end. But she is enraged at the, what she calls, insult, and breaks their engagement. Chevalier does not mind since by this time he is in love with Helen. He adopts the baby legally and he and Helen marry.

The plot was adapted from a novel by Roy Horniman. It was directed by Norman Taurog. In the cast are Adrienne Ames, Earle Foxe, Leah Ray, Betty Lorraine, Gertrude Michael, and others.

Children will not understand some of the suggestive situations; harmless for adolescents and for Sunday showing.



sooner had the Rules Committee of the House granted the rule allowing immediate consideration of the Resolution than a swarm of lobbyists descended upon the Capitol in an effort to kill it. The legislative representative of the producer-supported M. P. T. O. A. sent a letter to all Congressmen requesting them to vote against the Resolution and worked like a beaver calling on many Congressmen in person and making the same request orally. He also sent letters or telegrams to many theatre owners urging them to protest to their Congressmen against the measure, on the absurd ground that its adoption would make it impossible for the producers to produce and deliver pictures. Let it be said, however, that, in addition to the fact that the organization he represents is subsidized by the producers, he is a producer-exhibitor employe himself.

The activities of the lobbyists became so annoying that Congressmen Sirovich, Sabath, and O'Connor became outspoken in their criticism of them. Congressman O'Connor, in fact, threatened to have them investigated unless they left town. And many of them "scrammed." The Rule is now in the possession of Congressman Sabath and in a few days it will be, as expected, the subject of a conference between the Speaker, the Majority Leader, and himself.

An unfortunate feature of the Resolution is that it includes an investigation of recent receiverships and bankruptcy proceedings in the Federal Courts. This fact makes constitutional lawyers fearful lest such an investigation be construed as an encroachment upon the prerogatives of the courts and outside the power of Congress. To avoid such an issue, an amendment in the form of a substitute has been submitted to Mr. Sirovich and to all members of the Rules Committee. This amendment stresses a little more the matters in which the independent exhibitors are particularly interested. It is hoped that, for the benefit of the exhibitors and the honor of Congress, this substitute will be adopted by the House.

I have said "for the honor of Congress" advisedly, for unless the Resolution is adopted in one form or another, it will be said that Congress has succumbed to the Hays lobby. In plain words, it would be said that Will H. Hays has as much influence with a Democratic Congress as he had with every Republican Congress since he entered the industry.

If Congress were in doubt whether the adoption of this Resolution at this time would be wise or unwise, it could determine its course of action by asking itself whether it would be for the best interests of the American people or not. To begin with, the millions of American citizens who invested nearly two billion dollars in moving picture industry securities and lost almost every cent of it cannot be deprived of the right to know what has become of their money, irrespective whether an investigation would be wise or unwise from other considerations. On top of this, the producers have been forcing upon the public through the exhibitors salacious and other demoralizing pictures by means of the block-booking and blind-booking methods. The American public has been complaining all along but nothing has been done so far. Will H. Hays promulgated the, what is known as, Hays Morality Code, but the pictures, instead of getting better, have continually grown worse—more vile, coarser, and more demoralizing. An investigation is necessary if for nothing else than to put an end to this abuse, which has wrecked the industry.

As far as you, the independent theatre owners, are concerned, let me appeal to you to do all there is in your power to help the adoption of this Resolution. The parent who finds that his child has seen a dirty picture blames you for it; and the investor who has lost every dollar of the money he put into picture securities looks down upon you, if he does not actually blame you, as being a member of the "bunch" that "did" him out of his money. It is, therefore, necessary that you clear yourself completely from this imputation. And you can do it by urging your patrons to write to their Congressmen to vote for Resolution H. 95.

And not only can you clear yourself of such imputation, but you can use such an appeal to draw patrons to your theatre. This is what, in my opinion, would happen, if you were to post a placard in your lobby, or put an advertisement in your local newspaper, or throw a slide or a trailer on your screen, with the following wording:

"If you are the owner of any moving picture stocks or bonds help us put through Resolution H. 95 introduced by Hon. William I. Sirovich in the House of Representatives for the investigation of the motion picture industry. It is our belief that moving picture stocks and bonds will not react to their true value until the industry has been thoroughly investigated and reorganized.

"Do this today! Don't Delay!

"Use the following form:

"I am the owner of ..... shares of stock (or bonds) of ..... Company which I had bought at \$. ..... but they are now worth \$. ..... and desire that you vote for H. Res. 95 for the investigation of the moving picture industry.

"Signed.....

"If you desire any additional information, please see us. 'The Manager.'"

The opposition to the Resolution is very strong. Will H. Hays is using M. P. T. O. A. to lead Congress into believing that the theatre owners do not want this investigation. You realize, therefore, the necessity of rolling up your sleeves and going to work. It is the only way that the Resolution will have a chance. And without an investigation of the corrupt practices of the industry, there is never going to be a stabilization of it.

Get busy!

P. S. HARRISON

## THE CASE OF "FORTY-SECOND STREET"

This paper has been asked whether the holders of a Warner Bros. contract for the 1932-33 season are entitled to "Forty-Second Street" or not.

Warner Bros. sold thirty pictures for the 1932-33 season. Of these, twenty-four were to be "Star Attractions," and six "Specials."

Of the twenty-four Star Attractions, only five were described; and of the six Specials only two were described—"Blessed Event," and "I am a Fugitive."

"Forty-Second Street" is one of the Specials.

The question is whether Warner Bros. is or is not under an obligation to deliver this picture.

There are two points of view—the distributor's and the exhibitor's.

The distributor says: "'Forty-Second Street' is not in the contract, therefore I am not under an obligation to deliver it to the holders of a Warner Bros. contract. Besides, a provision in the Schedule gives me the right to exclude all pictures with three or more stars. And this Special has three stars—Warner Baxter, Bebe Daniels, and George Brent. Still I want to be fair and I will give it to my customer in preference to a competitor provided my customer is reasonable and is willing to readjust the price so as to give me a little more money. My pictures have been consistently good this year and it is not unfair for me to ask this concession from my customers.

The exhibitor should reply to the Distributor: "You sold me thirty pictures, only seven of which were described in the contract. 'Forty-Second Street' is not described in the contract, true enough, but you have not yet delivered all the thirty pictures and therefore you have no right to deprive me of a picture you have produced and released. There is nothing in the contract that gives you the right to withhold such a picture. The clause about excluding a picture when three or more stars appear in it does not operate in this instance, because none of the stars that are enumerated in the contract appear in the picture. A court of equity should decide in my favor if I should appeal to such a court for relief, because the court immediately would recognize the fact that, unless you are restrained, you can take advantage of me. Nothing, for example, could prevent you from holding back any good picture, asking more money from me, but I cannot prevent you from delivering to me every poor picture you make. Besides, you are trying to gain exhibitor good will; and there is no better way of gaining it than by playing fair with us."

I have been informed that Warner Bros. will handle "Gold-Diggers of 1933" in the same way as "Forty-Second Street."

Personally I hesitate criticizing Warner Bros. severely and arousing the exhibitors against them for this reason: The break-up of the industry as a result of past mistakes has affected this company, too, and its executives are struggling to put its affairs on a solid foundation so as to avoid bankruptcy. And they have every chance to succeed, for they have made consistently good pictures this season; they have, in fact, made the best pictures in the business. Any hostility on our part, then, may hurt them irreparably. And it would be a calamity if anything should happen to this company.

Because of our kindly feeling towards them, however, we don't want them to take advantage of it and do an injustice to many contract holders. This picture belongs to the Warner contract-holders and they should get it at the contract price.



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No. 18

## AN OPEN LETTER TO WILL H. HAYS

WILL H. HAYS, *President*  
M. P. P. D. A., Inc.  
25 West 43rd St.  
New York, N. Y.

Dear Mr. Hays:

I have read in the Motion Picture Herald an article by Maurice Kann, editor of Motion Picture Daily, written from Hollywood, informing the motion picture industry how red in the face you got because of the filth the members of your organization have been putting into pictures, how much "hell" you raised, and of the dire consequences with which you have threatened any of the producers who should fail to keep filth out of pictures in the future. It is understood, according to Mr. Kann, that you have formulated the following code for the elimination of "dirt":

1. Objectionable pictures or dialogue or situations will be turned back.
2. If this fails to bring the desired result, appeal will be made to company heads in New York over the heads of Hollywood.
3. If company heads take no action, the third step proposes an appeal to the bankers as protection of their investments.
4. If points 1, 2, and 3 fail, the issue will be placed before the public.

On March, 1930, you formulated and gave to the press for the information of the American public, a Code of Ethics for the guidance of the producers of moving picture entertainment. Among the prohibitions of that Code were the following:

"I. CRIMES AGAINST THE LAW: These shall never be presented in such a way as to throw sympathy with the crime against law and justice or to inspire others with a desire for imitation.

"1. *Murder*: (b.) Brutal killings are not to be presented in detail. (c.) Revenge in modern times shall not be justified.

"2. *Methods of Crime* should not be explicitly presented. (a.) Theft, robbery, safe-cracking, and dynamiting of trains, buildings, etc., should not be detailed in method. (c.) The use of firearms should be restricted to essentials.

"4. The use of liquor in American life, when not required by the plot or for proper characterization, will not be shown.

"II. SEX: The sanctity of the institution of marriage and the home shall be upheld. Pictures shall not infer that low forms of sex relationships are the accepted or common thing.

"1. *Adultery*, sometimes necessary plot material, must not be explicitly treated, or justified, or presented attractively.

"2. *Scenes of Passion*: (a.) They should not be introduced when not essential to the plot. (b.) Excessive and lustful kissing, lustful embraces, suggestive postures or gestures, are not to be shown. (c.) In general, passion should be treated that these scenes do not stimulate the lower and baser elements.

"3. *Seduction or Rape*: (a.) They should never be more than suggested, and only when essential to the plot, and even then never shown by explicit method.

"4. *Sex perversion* or any inference to it is forbidden.

"III. VULGARITY: The treatment of low, disgusting, unpleasant, though not necessarily evil, subjects should be subject always to the dictate of good taste and a regard for the sensibilities of the audience. . . ."

Since you formulated this Code, every one of these prohibitions has been violated, not once but repeatedly. Lack

of space prevents me from bringing a multitude of proof; therefore, I shall confine myself to a few examples:

CRIMES AGAINST LAW: It is hardly necessary for me to bring any specific examples to prove the violation of this prohibition; all I have to do is to refer you to the gangster pictures which flooded the screens since that time. It was not you who discouraged the production of this sort of pictures but the American public, which threatened the industry with dire consequences unless it abandoned this form of so-called entertainment.

In regards to brutal killings, I am referring you to "Terror Aboard," in which there are about fifteen brutal murders, the most brutal of them all being that of the woman in the ice box; "Murders in the Zoo," in which a madman sews up the mouth of a human being and uses the venom of a snake to kill those who become infatuated with his wife or even talk to her; "The Mystery of the Wax Museum," which, though it does not show murders, has a worse effect on the mind of those who see it; "The Vampire Bat," in which a mad scientist is shown draining the blood from the heart of a human being; "Song of the Eagle," in which the heroine's father and the hero's father are murdered by gangsters in cold blood; "Rasputin," in which the hero murders the villain with a poker and the villain's head is shown smeared with blood; "The Match King," in which the hero-villain throws a counterfeiter off the motorboat deliberately, letting him drown; "Secrets of the French Police," in which a criminal covers a woman with a composition so as to make her look like a real statue; "Sign of the Cross," in which human beings are brutally murdered, and innumerable others.

In "Fast Workers," the hero's pal is shown deliberately pushing the board so as to murder the hero, who, as soon as he stepped on it, fell several feet to the pavement below. This picture violates the prohibition also against revenge, for the hero's pal makes up his mind to murder the hero out of revenge.

As far as the prohibition of "liquor in American life," is concerned, I have treated with this subject so often in the past that hardly any new evidence is necessary. All I can say is that there is hardly a picture produced but shows drinking in an attractive manner.

SEX: In "Ex-Lady," the heroine refuses to marry the hero at first, preferring to live with him promiscuously, because marriage is contrary to her ideals. Does this picture uphold the sanctity of the "institution of marriage"? In "Faithless," the heroine is shown living with a common gambler for the luxury he could provide her with; in "Call Her Savage" a husband, ill in a hospital, (out of his mind, of a bad disease) attempts to assault his wife; in "Rasputin," the villain enters the room of a fourteen year old princess with the plain intention of seducing her; in "Cynara," the hero lives with another woman, even though he is married; in "Bitter Tea of General Yen," a white girl is shown falling in love with an oriental; in "Frisco Jenny," the heroine conducts a house of prostitution, living off the earnings of the inmates,—she also becomes the head of a bootlegger ring; in "Sailor Be Good," the talk "stunk" so much that the United States Navy compelled the producer to re-edit it so as to cut out as much filth as he could possibly cut out; in "Secret of Madame Blanche," the young hero takes a seventeen year old girl to a wine shop with the purpose of seducing her, and then murders her father when he visits him next morning to call him to account; in "Pleasure Cruise," a jealous husband (hero) takes the place, in the dark of the night, of the man who was to sleep with the heroine, without the heroine's knowing the difference; in "So This Is Africa," talk and scenes are so indecent that there has been a revolt on the part of  
(Continued on last page)



## "Song of the Eagle" with Charles Bickford and Richard Arlen

(Paramount, April 28; running time, 69½ min.)

Just a fair entertainment. Although the theme is timely, the action is slow. The gangster element brought into the picture is demoralizing for it shows that some men joined gangs when they came back from the world war because they could not find jobs, and then prospered in the bootlegging business. Human interest is aroused by the sympathy one feels for the family that is made to suffer because of their ideals, and the murders of both the heroine's and the hero's fathers make one feel depressed. Unpleasant, too, is the situation in which the hero's mother kills the villain, even though one feels it is what he deserved. A simple love affair between the hero and the heroine is introduced, it is unimportant.

The plot was adapted from a story by Gene Towne and Graham Baker. It was directed by Ralph Murphy. In the cast are Jean Hersholt, Mary Brian, Louise Dresser, Andy Devine, George E. Stone, Gene Morgan, and others.

Aside from the gangster element the picture is suitable for children, adolescents and for Sunday showing.

## "Hell Below" with Robert Montgomery, Walter Huston and Madge Evans

(MGM, Rel. date not set; running time, 102 min.)

A great thriller. Most of the thrilling moments are caused by fights between an American submarine and German mine layers, in the Adriatic. The first thrill is offered when a German submarine spies a schooner and comes up near it; all at once the false rigging goes down and there is disclosed a fairly big caliber gun, manned by Americans. Both sides start fire but the American ship destroys the German submarine. In a later situation the fight is between an American submarine and a German mine layer. The submarine torpedoes the mine layer and sinks it. Right at that moment, however, German bombing hydroplanes appear and the American submarine is compelled to submerge, leaving two of the crew in a boat. In a still later situation, the American submarine sights three German mine layers. The hero, a lieutenant, at the periscope at that moment, thinks he had sighted his comrades in a boat and informs the Captain about it. The Captain, informing him that his orders are to lie low, refuses to take any action. Besides he felt that it would be suicide to try to sink three mine layers at one time. The hero, however, disobeys orders and, while the Captain is in his cabin, he gives orders to shoot. Two of the torpedoes take effect against two of the ships, and sink them, but the third misses and the mine layer sets out to sink the American submarine with depth bombs. These scenes are extremely thrilling.

Thrilling are also the scenes that follow, for they show the submarine sinking to a 240 foot depth level, when the safety point was only 200 feet. As a result, the plates leak and some of the salt water, reaching the batteries, created poison gas. The attempt of the men to put the pump into operation so as to pump out water ballast and raise the ship to the surface prove ineffective at first. During this time some of the men die of gas poisoning. At last they succeed in working the pump and they reach the surface, and shortly thereafter the port.

In the development of the plot from this point on, the hero is shown court-martialed and expelled from the service. By this time, he had fallen in love with the Captain's daughter, a married woman, whose husband had been made a physical wreck in the war. He tells the Captain that he is going to take her away. The Captain calls him a coward. The hero goes to the hospital to tell the invalid husband about his love, and when he finds him hopeful that he would be made to walk by a new treatment, he returns to the Captain and, in order to make the heroine cease loving him, makes insulting remarks. The Captain strikes him and orders him from the house.

The following day the submarine is ordered loaded with dynamite and exploded at an important point in the enemies harbor works so as to prevent the submarines from coming out. The hero hides himself in the submarine. When they are in the offing, he presents himself to the Captain and implies to him that what he had said to his daughter the previous day he said it with a purpose. The Captain admires the nobility of his character and inducts him into the service. Just as the submarine is approaching the appointed

place the captain orders every one to jump. The hero suddenly pushes the captain overboard and takes charge of the wheel. He explodes the dynamite but he perishes.

The plot has been founded on "Pigboats," by Edward Elsburg; it was directed by Jack Conway. In the supporting cast are: Jimmy Durante, Eugene Pallette, Robert Young, and others.

In one of the situations it is implied that the hero and the heroine had had an affair. Children will not understand it, and since the situation has been handled delicately it may not prove objectionable for adolescents or for Sunday showing.

## "The Woman I Stole" with Jack Holt and Fay Wray

(Columbia, May 1; running time, 66 min.)

Only fair. It is handicapped by the fact that both the hero and the heroine are unsympathetic characters—he, because of his determination to take the heroine away from her husband, and she, because of her heartless treatment of her husband who loved her dearly. In addition, the action is rather slow for it deals mostly with the oil business in the tropics. It is unpleasant, too, because of the hatred the hero and the heroine's husband have for each other. The fact that in the end the hero saves the husband's life and breaks his affair with the heroine arouses some respect for the hero. There is some suspense in the situations where the hero meets the leader of a group of bandits and wins him over to his side:—

The hero returns to the oil fields which he had abandoned when he made his fortune. Every one wonders why he had returned and no one knows that it is because he loved the heroine, wife of the manager of the oil business. The husband denounces them both and insults the hero by calling him yellow. This does not stop both the hero and the heroine from making their plans to leave together. The hero notices that the husband is battling hard to maintain his position. A bandit group stand in his way of success and the husband is discouraged. From the bandit leader the hero learns that back of the destruction of property was a company employee who wanted to buy the business at a low price. The hero wins the bandit over. The disloyal employee is killed by the very man he had hired to kill the hero. The hero protects the husband of the heroine, and when he finds out how characterless is the heroine he boards the steamship to go to the United States without her. By this time the husband had learned how noble the hero is and boards the same boat. The two meet on the boat, as friends.

The plot has been founded on the novel "Tampico," by Joseph Hergeshcimer. It was sold originally as "The Dictator." The locale of the book is Mexico, but in the picture it has been transferred to Morocco. Irving Cummings directed it. In the cast are Noah Beery, Donald Cook, and others.

Unsuitable for children, adolescents, or for Sundays.

## "Diplomaniacs" with Bert Wheeler and Robert Woolsey

(RKO, May 12; running time, 62 min.)

A fair comedy with music. A few of the situations are extremely funny and provoke hearty laughter, as for instance when Wheeler and Woolsey appear in the dining room of the boat and are introduced by the Captain as delegates on a secret mission; he tells the diners just what their secret mission is about. Another comical situation is where Wheeler and Woolsey, representing the American Indians in favor of peace, appear at the Peace Conference in Geneva and find all the delegates from the different countries battling with each other. Some of the situations are a little silly and somewhat vulgar—for instance the situation in which Marjorie White makes love to Bert Wheeler; also where Phyllis Barry weakens men by her kisses which are supposed to be so passionate that while she is kissing a man steam (supposedly from the heat) issues from the man. The story is rather thin.

The plot has been adapted from a story by Joseph Maniewicz. It was directed by William Sciter. Louis Calhern and Hugh Herbert give excellent performances adding much to the comedy situations.

It is doubtful if children will understand some of the vulgar things said; suitable for adolescents and for Sundays.



### "Looking Forward" with Lionel Barrymore and Lewis Stone

(MGM, April 28; running time, 82 min.)

Fairly entertaining. It is something on the order of "Sweepings," business forming the foundation of the action. Only that the characters in "Looking Forward" are endowed with decent traits. For instance, when Lionel Barrymore, bookkeeper in a big concern, is discharged, he is at first despondent, for he had worked for the company forty years and he did not think he could do anything to earn him and his family a living. But his children, true blue, and his wife, instead of sharing his disappointment, start in the bakery business and make a success of it. The same is true of Lewis Stone, one of the important partners in the manufacturing concern. The company's business was going from bad to worse, and his partners were advising him to sell out. At first he did not want to do it but because the offer made to him was sufficient to enable him to take care of his daughter and son, he had decided to sell out. He accidentally meets Lionel Barrymore, and he receives such an inspiration from him that he decides to stick it out in answer to the plea of his children, who had promised to work for the success of the enterprise. It all ends happily, except that the wife of Stone had left him to follow a man of her heart.

The plot has been founded on the play "Service," by C. L. Anthony; it was directed by Clarence Brown. In the cast are Benita Hume, Elizabeth Allan, Philip Holmes, Alec B. Francis, Halliwell Hobbes, Lawrence Grant, George K. Arthur and others.

Although a married woman is shown running away with another man, the situation is not offensive; therefore it should not prove unsuitable for adolescents or for Sunday showing; children under twelve will not understand it.

### "Love Is Like That"

(Chesterfield Prod; running time, 61 min.)

Mediocre program fare. The story is thin, and the actions of the characters do not arouse sympathy for them. The heroine is a scatter-brained young girl who forces her attentions on the hero, seeking at every meeting to have him make love to her. The closing scenes, in which he finally succumbs to her charms, asking her to marry him, are unbelievable for one has the feeling that the young girl should have been spanked and sent back to school. The situation showing the shooting of one of the characters is made ridiculous by the behavior of the characters; they are completely unconcerned and treat the matter as if it were a lark. Some little sympathy is felt for the heroine when she is suspected of having committed the crime, which is eventually straightened out when the girl proves that the man had been shot by his own wife, who was jealous of his affairs with other women.

In the development of the plot it is shown that the heroine's sister is having marital difficulties because of her husband's jealousy. Wanting to teach him a lesson she decides to go away on a week-end with a woman friend, their destination being the hero's country home. The heroine, having fallen in love with the hero, goes there too, and in order to protect the hero after a shooting had occurred on his estate, says she is his wife. Eventually the shooting is cleared up and the hero and the heroine decide to really marry.

The plot was adapted from a story by Beulah Poynter. It was directed by Richard Thorpe. In the cast are John Warburton, Rochelle Hudson, Bradley Page, Judith Vosselli, Dorothy Revier, Albert Conti, and others.

Not suitable for children, adolescents or for Sundays.

### "Below The Sea" with Ralph Bellamy and Fay Wray

(Columbia, April 25; running time, 79 min.)

Good! The value of it, however, lies more in the fast action and in the virility of incident rather than in the characterizations, for what the chief characters do is mostly unpleasant. For instance, in the beginning the Captain of a sunk German submarine is shown murdering his comrade, the only other survivor, by pushing him off a steep cliff, so as to prevent him from sharing his secret as to where the submarine, containing millions of dollars worth of gold, lies. Later on, the German keeps on making deals with different persons for the recovery of the gold, but all the while plotting to murder them so that he might get the entire gold for himself.

In the development of the plot, it is shown that the

schooner which the German had been able to charter by means of the money supplied him by a woman to whom he had promised an equal division of the gold, and which schooner was commanded by the hero, is sunk during a storm. The German and the hero are the only survivors. By taking half of the map away from the German, the hero is able to make him keep his promise. They return to civilization and are able to interest the heroine into fitting a scientific expedition to explore the bottom of the sea. The German and the hero lead the ship to the spot where the gold lay. The German again double-crosses the hero and sets out to recover the gold himself. But the chest containing the gold breaks and the gold bars are spilled. The German is caught in the running chain and is dragged into the water to his death. The hero, who had recovered from the drug with which he had been put to sleep, instead of going after the German, dives into the sea to rescue the heroine and a young cameraman, who had gone down against the hero's orders; the hose with which the bell had been supplied with air had been severed by a giant octopus, and the two were in danger of asphyxiation. The hero manages to burn some of the tentacles of the octopus by an acetylene torch, and to hook the chain into the bell handle, thus enabling those above to hoist the bell and save their lives. The hero lost the gold but found a wife, in the person of the heroine.

The story is by Joe Swerling; the direction, by Al Rogel. Frederick Vogeding, William J. Kelly, Paul Page and others are in the cast.

Children below twelve should find much thrill in it; so should adolescents. As for Sundays, there should be no objection other than the lack of decent traits in the characters.

### "Reunion In Vienna" with John Barrymore and Diana Wynyard

(MGM, Rel. date not set; running time, 98 min.)

It is well directed and capably acted, but it is a picture for the few—the intellectuals; the masses should go to sleep on it. The only situations where some human appeal is directed to the emotions of sympathy are first, where Diana Wynyard, a former lady of the court of Franz Joseph, dreams of the past glory in which she had taken a prominent part, and where John Barrymore, as the Archduke Rudolf, stands below the portrait of Franz Joseph at the hotel in Vienna, and receives the homage of the fallen royalty who congregated at that hotel once a year to celebrate. As for the remainder of the picture, one may say that it is tiresome. The part of John Barrymore is not so sympathetic; he is boisterous, and wants things his own way.

In the play, the most important situation is where the Archduke was courting the lady and was seen running his hand up and down her body, with the music accentuating the action. In the picture, this situation is tame, although its sexiness is about the same. The play is sexy from the beginning to the end, in that a husband is shown putting his wife up against the Archduke, with whom she had had an affair when the Empire was at its glory; he wanted to give her an opportunity to test herself, to see whether she could resist him, his theory being that it was the only way for her to put him out of her thoughts forever. The wife does succumb.

The plot is the same as that of Robert Sherwood's play, with some additions. Frank Morgan is the husband. May Robson, Henry Travers, Una Merkel, and others are in the cast.

Unsuitable for children, adolescents, and for Sundays.

### PHILADELPHIA M. P. T. O. A. ENDORSES RESOLUTION H. 95

At a meeting held at the Elks Club in Philadelphia last week, Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, passed a resolution endorsing unanimously the Sirovich Resolution. The members were instructed to communicate with their Representatives in Congress urging them to support Resolution H. 95.

George Aarons, the secretary of the organization, spoke against the Resolution in his personal capacity. I was asked to speak and I urged the members to support it. I was followed by David Barrist, who joined me in my plea for the support of the Resolution.

Not even a murmur against the exhibitor resolution was heard; it was carried unanimously.



the public in many sections of the country; in "Christopher Strong," the institution of marriage is desecrated as it had not been desecrated before; in "Fast Workers" the hero takes his pal's wife, who was his former "sweetie," to Atlantic City, for which act the pal had decided to murder the hero; in "Hello Sister" things are done that are not done except in bawdy houses. These are only a few of the pictures, picked from the late harvest.

But how about the dirty talk heard in every one of the pictures that deals more or less on a sex theme?

Since the adoption of your morality code, you have been assuring the American public that the pictures are now as clean as a whistle, and that all those who say they are not are "either malicious, or uninformed, or earn their livelihood by derogation." But now you admit that your morality code has proved ineffective, for if it had not, you would not have issued this new ultimatum to the producers, ordering them to cut out filth.

When were you right, Mr. Hays? Was it in the three years after the adoption of your Code, when you assured the American public that the pictures were clean, or now, when you are telling the same public that the pictures are unclean?

Will your edict now be obeyed any more conscientiously than it was before? Let us analyze the four prohibitions to determine whether they will or not. You say:

1. Objectionable pictures or dialogue or situations will be turned back. As I have been in the industry for more than fifteen years and have had an opportunity to study the mentality of those engaged in production, I say to you now that they may obey you for one or two pictures; but as soon as business gets terrible they will throw your recommendations to the wind, for down in their hearts they feel that unless a picture is founded on a sex theme, has much dirty talk in it, and the situations kindle the sexual passions, such picture cannot succeed at the box office.

2. If the producers of the picture disregard your recommendations when you turn some pictures back, you will appeal to the company heads in New York. Since the company heads in New York feel no differently from the company heads in Hollywood, your appeal will be in vain.

3. If the New York company heads take no action, you will appeal to the bankers, who would want their investments protected. Have you ever heard what happened to some bankers who went to the coast for the "protection of their investments"? Of course you have! Everyone in the industry has!

4. If all these steps fail, you will appeal to the public. Do you think you will tell the public that a member of your organization has disobeyed your orders against filth in pictures? If you will, how long will such a member stay in the ranks, paying you one-half of one per cent of his gross receipts? And what will be the effect upon the other members?

Quit your attempts to fool the American public! You may think you are fooling it but you are not! They may not say anything—they have no way of expressing their sentiments to you! But, oh, what happens to the box office! They simply stay away from the picture theatres!

Why are you against an investigation? Surely you don't fear it? Whom are you trying to protect?

More questions later.

Very truly yours,

P. S. HARRISON

### MISLEADING INFORMATION FROM MR. HAYS ON BLOCK BOOKING

Under the title, "Selected Motion Pictures," the Hays office put out in March a pamphlet giving a joint estimate on pictures of their sponsored previewing committees.

I have been asked by a prominent person from outside the motion picture industry whether the statements made in this editorial are true or not. I have decided to answer it in these columns.

My remarks will naturally be addressed to persons outside the industry, for there must be others besides this friend of mine who would want to know the facts.

Under the heading, "Block Booking," there is an editorial signed by one of the lieutenants of Mr. Hays giving the public certain facts about block-booking and other matters.

Since this editorial could not have been put out without the knowledge and consent of Mr. Will H. Hays, whatever views this lieutenant expresses naturally represent Mr.

Hays's views. HARRISON'S REPORTS holds, therefore, Mr. Hays responsible for whatever misleading statements are made in it.

Part of the editorial reads as follows:

"1. In a recent study of the motion pictures shown, for a period of 90 days, in 25 typical American cities, it was found that theatre managers always vary their selection of pictures according to their own estimate of motion picture taste of their patrons; in these cities, the percentage of pictures shown, endorsed by the public groups, varied from 40% minimum to 98% maximum."

To begin with, this statement is vague, and therefore no intelligent discussion can be held on it, for it does not give the names of the 40% or of the 90% of the pictures Mr. Hays refers to, and we cannot say whether the percentages given are accurate or inaccurate. On top of this, it is wrong and misleading in itself, as judged by the sales methods in vogue. For instance, no exhibitor can buy only a portion of a producer's product; he must buy all or none. Consequently, he is compelled to show every picture he buys. As an example, the Paramount contract specifies the following in the Schedule of the 1932-33 contract:

"There are licensed for exhibition hereunder all of the Distributor's Group S-4 sound photoplays of feature length, not to exceed sixty-five (65), which shall be generally released by the Distributor for distribution to motion picture theatres in the United States during the year commencing August 1, 1932 and ending July 31, 1933." And in the Second Clause, "The Exhibitor agrees to pay for such license as to each of such photoplays the fixed sums herein specified. . . ." Nowhere in the contract is there a provision giving the exhibitor the right to reject any pictures "not selected by the Hays previewing committees," or any of those the exhibitor thinks will offend the moral sensibilities of his customers. That is why the Paramount contract-holding exhibitors are obliged to accept and exhibit "The Story of Temple Drake," which has been founded on "Sanctuary," a book that deals with degenerate characters; he has no way out, except to pay for it but lay it on the shelf, an act which is highly uneconomical and would bankrupt any exhibitor who would make this a practice; the vile pictures are so many that he cannot keep his theatre open with the remaining, even if he had the choice of the best product of all the big companies. The contracts of the other distributors are similar.

Mr. Hays may mean that, in the territories that were checked up, anywhere from forty to ninety per cent of the pictures selected by the previewing committees were shown. This certainly should be true; it would be untrue only if it meant that the filthy pictures were excluded from such theatres entirely. Forty or even ninety per cent of the pictures that are selected by the Hays sponsored committees may be only five or ten per cent of the total number of pictures shown in the theatres that were checked up. It cannot be otherwise, for were these theatres to show only pictures selected by the Hays committees, they could not remain open more than a few days each week; some of them would have to close entirely for lack of product.

"2. Not more than a small percentage of the total sales of any distributing company are made in complete blocks."

"I have before me the 1932-33 contracts of all the members of the Hays organization. Here is what these distributors offered to the exhibitors during this, which is the current, season (a picture season is from August 1 to July 31).

COLUMBIA: This company sold thirty-two regular features in one group. It did not sell to any exhibitor in the United States only part of this group, except, perhaps, where there were two theatres in the same locality and it "split" this group among the two theatres, giving half to the one theatre and half to the other. In addition to these thirty-two, Columbia put out sixteen western melodramas. Since western melodramas do not attract patrons in Broadway houses in New York and all the big cities, naturally these pictures are not offered to the exhibitors of such theatres—it would not do to Columbia any good if it should offer them, for most of these theatres are controlled by producer-distributors, such as Paramount, Fox (Skouras Bros.), Warner Bros., RKO, Loew, and the booking heads of these theatres would laugh at the Columbia executive who would insist that they buy them "all or none"; but those exhibitors who have their theatres in localities where westerns are in vogue are compelled to buy also the western along with the others—there is no way out for them. And once they buy them all, they must pay for them, irrespective whether they show them all or not.

(To be concluded next week)



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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No. 19

### Misleading Information from Hays on Block-Booking!

*(Editor's Note: As I stated in last week's issue, a prominent person not connected with the motion picture industry has requested me to inform him whether the statements about block-booking made in a pamphlet Will H. Hays has sent out last March to people outside the industry are accurate or not. Since a reply to the Hays assertions will help to enlighten other people besides my friend, I decided to print this reply in these columns.*

*The first part of the analysis of the Hays statements was printed in last week's issue.)*

**FIRST NATIONAL:** This company sold thirty pictures. Every exhibitor had to buy them all or none, even producer-exhibitors. Its contract contains no provision that gives an exhibitor the right to reject even one picture.

**FOX:** This company sold forty-three pictures. And the exhibitor had to buy them all or none. Because of the fact that this company's output did not prove so meritorious in the last two years, some exhibitors were able to force it to allow them to reject about ten per cent of the entire product. Such cases occurred only where there was no competition. Where there was competition, the exhibitor could not get such a privilege and was obliged to buy them all.

**METRO-GOLDWYN-MAYER:** This company sold forty-eight pictures in addition to some specials, and the exhibitor had to buy them all or he could buy none. Because of the fact that this company's product proved of excellent quality for about three years previously to last season, its executives became so arrogant that they would not sell their pictures to the exhibitors except at crushing terms, demanding the right to designate play-dates even on Sundays. The fact that a given picture might not be suitable for a Sunday showing did not make any difference to them; their eyes were on the box office receipts, and not on the morals of the community. How "tough" they were may be gathered by the fact that they would not sell to theatres the average rentals of which was ten dollars. Conditions are, of course, different this season—they are not so arrogant, for the quality of their product has turned out so poor that they are only too glad to sell even ten-dollar accounts. But even this season an exhibitor had to buy all the MGM pictures or none. Nowhere in the contract is there a provision giving the exhibitor the right to reject even one picture.

**PARAMOUNT:** As said in the analysis of No. 1, this company has sold a maximum number of 65 pictures, and the exhibitor must pay for them all, including "The Story of Temple Drake," which has been founded on one of the vilest, filthiest, dirtiest books yet put into pictures.

**RADIO PICTURES:** This company sold fifty-two regular pictures; recently it announced that it would deliver only forty-six. But the exhibitor had to buy them all or he could buy none of its product. In addition to this, it sold some westerns. What was said of the Columbia westerns is true also of the westerns of this company.

**UNITED ARTISTS:** This company sold twelve pictures. Because of the fact that its pictures are owned by different artists, the exhibitor is supposed to be able to buy one picture at a time, if he wants to. In practice this does not work, for the shortage of product is so great that an exhibitor is only too eager to contract for all its pictures. Unless he contracts for all, his competitor does so.

**UNIVERSAL:** This company sold twenty-six regular features and an exhibitor had to buy them all or none. There is no provision in the contract giving the exhibitor the right to reject even one picture. In the past an exhibitor would reject a substitution, that is, a picture sold with a definite story as a basis, but delivered with another. In this season's contract there is a provision making this matter arbitrable: If the arbitration board decrees that the picture

offered is as good (or even better) as it would be if it had been founded on the original story, and as suitable, then the exhibitor must accept it.

**WARNER BROS.** This company sold thirty pictures and the exhibitor had to buy them all or none. There is no provision in the contract giving him a right to reject even one picture. In addition to these thirty, it sold six westerns. But what was said of Columbia's westerns applies to the westerns also of this company.

Thus you see that the contracts of all the members of the Hays organization do not permit the theatre owner to reject any of the pictures he contracts for in the beginning of each season, or at any time prior to it or afterwards.

The second sentence of Paragraph 2 of the Hays editorial reads as follows: "Pictures which prove to be good box office attractions and are a part of a season's output of one distributor always are shown in five to ten times as many theatres as the less popular pictures of the group distributed by the same sales organization."

The viciousness of this assertion comes from the fact that there is an element of truth in it but it is not what Hays wants the layman to understand and naturally leads him to do so by the wording, "distributed by the same sales-organization." Let me be specific: "Cavalcade," the picture that has been produced and released by Fox Film Corporation, will be shown in perhaps ten times as many theatres as will say, "Hello Sister!" But, "Hello Sister!" is one of the forty-three pictures the Fox Film Corporation sold to the exhibitors in a group in the beginning of the current season (approximately August 1, 1932, to July 31, 1933,) and "Cavalcade" is a special picture, being sold separately not only to Fox customers but also to any competitor who wants to play it after the regular Fox accounts have played it. The reason for this is the fact that "Cavalcade," because it is an extraordinarily good production and its quality is broadcast by all those who see it, draws large crowds. A theatre owner who is not a regular Fox customer feels that, being able to buy at a reasonable price the rights to exhibit this picture as a second-run, third-run, or even fourth-run, that is, after it has played in one, two, three or even four competitive theatres in his locality, he can make a greater profit with such a picture even though it has been shown to almost every one there, than he can with an ordinary picture. In this manner, the number of those who will have shown "Cavalcade," when it has had its full run, that is, when it has been shown to every theatre possible, is ten times as great, and even greater, than the number of those who will have shown "Hello Sister!" And the number of the "Cavalcade" exhibitions will continue to mount as time goes on, for every time a civic, fraternal or religious organization, or a school, wants to give an affair and they decide to show a good picture, they usually engage a picture such as "Cavalcade." On the other hand, a picture such as "Hello Sister!" being of a mediocre quality, is shown to a much smaller number than even the contracts warrant, for many theatre owners, feeling that they are morally obligated to the people of their community, will pay for the picture but will not show it; they feel that it is repulsive, not only to people with families, but to any decent person. Mr. Hays knows this very well; yet he presents his facts in such a way as to lead the uninitiated to believe that a theatre owner is not under an obligation to show the poor pictures of the group he contracts for, and that if he shows them it is his own fault.

The trouble with Hays is the fact, when he writes such pamphlets, he distributes them among persons who are not acquainted with the facts. It is only through chance that such a pamphlet now and then falls into the hands of one

(Continued on last page)



**"Alimony Madness" with Helen Chandler***(Mayfair Pictures; running time, 65 min.)*

Mediocre program fare. The story is not so bad, but poor direction and stilted performances of most of the cast spoil it. It moves slowly and moments that could have been really dramatic, such as the situation where the heroine's baby dies, are muffed. Human interest is aroused because of the pitiful situation the hero and the heroine find themselves in, owing to the cold-bloodedness of his first wife. One feels the hopelessness that envelops them and, therefore, pities them. The fact that the heroine eventually kills the first wife is not held against her for one feels the woman deserved it:—

The hero, a successful architect, is shocked when his wife tells him she wants a divorce; she tells him further that she married him only because he was a good provider. Loving her, he accedes to her wishes and arranges to give her "evidence." The heroine, a stenographer out of work and desperately in need of money, acts as correspondent, despite the pleas of the hero not to involve herself. He settles a large amount of money on his wife and consents to alimony in addition to that. But after the divorce his business is ruined because of the divorce scandal, and unable to pay the alimony, he is put in jail. The heroine, in love with him, procures his release with the help of a lawyer friend. He goes back to work and eventually they marry. A child is born and the hero barely earns enough to support them, since most of his money goes to pay his former wife's alimony. The baby becomes ill and while the hero is on his way to the drug store for medicine he is arrested for non-payment of alimony. He is dragged to court and gives them whatever money he has. When he returns home he finds his baby dead. The heroine goes to see the former wife to plead with her for mercy and the woman insults her. She sees her fondling her dog and notices a bill for medical expenses for the dog. A gun is on the table and the heroine grabs it and kills the wife. When she tells her story to the jury she is freed.

The plot was adapted from a story by John Thomas Neville. It was directed by Breezy Eason. In the cast are Leon Waycoff, Edward Earle, Charlotte Merriam, Blanche Frederici and Alberta Vaughn.

Not suitable for children, adolescents or for Sundays.

**"Sucker Money"***(Willis Kent; running time, 70 min.)*

Mediocre program fare. The sound, photography, and acting are poor, the action slow and the plot amateurish. The story concerns itself with faked seances, hypnotism, and a plot on the part of the villain to obtain money from the heroine's father by taking him to the faked seance and having his partner, the Swami, read his future. The plot is for the Swami to tell the villain that he is going to make much money by investments in oil wells. In this way the heroine's father asks to be taken into the business proposition. But the father is saved from investing his money by the advice of the hero, a newspaper reporter, who had been assigned by his paper to get information on the Swami. He joins the gang as an actor, and when his identity is discovered the villain plans to kill him. But the hero is saved by one of the women connected with the gang, who had telephoned the editor of the paper for help. The heroine, who had been hypnotized by the villain, comes out of the trance when the villain dies after falling off a cliff in an attempt to escape from the police. The hero and the heroine are united.

It was directed by D. Reid and M. Shyer. In the cast are Mischa Auer, Mae Busch, Phyllis Barrington, Ederl McCarty, Mona Lisa, Fletcher Norton, and others.

Unsuitable for children, adolescents and for Sundays.

**"Son of the Border" with Tom Keene***(RKO, May 5; running time, 54 min.)*

A fair western. The motivation is very weak. For instance, the heroine is shown hating the hero, a sheriff, for the death of her sweetheart, villain, whom the hero had shot and killed after a bank robbery, when she knew very well that he had been guilty. Her decision to avenge the villain's death by punishing the hero does not, therefore, arouse any desire on the part of the audience to follow her acts; the audience is always with the hero, who had done merely his duty. The affection the hero shows for the dead man's little brother brings a little cheer into the picture, but this

is somewhat spoiled by the efforts of the heroine to create bad blood between the boy and the hero. The story closes with the misunderstanding between the hero and the heroine cleared away.

The story is by Wellyn Totman; the direction by Lloyd Nosler. Julie Haydon, David Durand, Edgar Kennedy and others are in the cast.

Because of the fact that it is implied that the heroine had lived with the villain although they were not married the picture is unsuitable for adolescents and for Sunday showing; children under twelve may not understand the implication.

**"What Price Decency" with Dorothy Burgess***(Equitable Pictures; running time, 58½ min.)*

A slow-moving program picture, with a tropical background. Some sympathy is aroused for the heroine because of the cruel way in which she is treated by the villain, and also because she is unwilling to leave him to go with the hero, whom she loved. What little excitement there is comes in the closing scenes, where the heroine is shown beating the villain to blindness, leaving him with the natives, who kill him. This is unpleasant even though one feels it is what the villain deserved:—

The heroine, a woman of the streets, is picked up by the villain and taken aboard a boat. The boat sets sail before the heroine is able to leave and the villain suggests that she marry him and live with him in the tropics. Thinking it a noble act on the part of the villain, who knew what her profession was, she marries him and promises to be faithful. As soon as they reach their home she finds it to be a shack and not a palatial home as he had described. He is cruel to her and makes her life unbearable. The hero, a pearl trader, arrives and he and the heroine soon fall in love. Wanting to stick by her bargain she refuses to leave with the hero. But her husband tells her that their marriage had been faked. Furious she picks up a whip and beats him to blindness. She then goes away with the hero. The natives, who had been cruelly treated by the villain, kill him.

The plot was adapted from a story by Arthur Gregor and directed by him. In the cast are Alan Hale, Walter Byran, Yorke Sherwood, E. F. Duran, and others.

Not suitable for children, adolescents or for Sundays.

(This picture is being distributed by Majestic Pictures and they give the running time as 71 minutes. I called up the theatre where I reviewed it and they give the running time as 59 minutes. Our time seems correct.)

**"A Study in Scarlet" with Reginald Owen, June Clyde and Allan Dinehart***(KBS Tiffany, April 2; running time, 71 min.)*

A fairly good Sherlock Holmes murder melodrama. The danger to several of the characters due to the plotting of the villain and his associates holds the audience in suspense throughout, particularly because it is not until the very end that the identity of the murderer is made known. The tension is relieved by some excellent comedy. The most thrilling situation is the one in which the heroine and another victim are shown lured to the murderer's home; they are saved by the timely arrival of Sherlock Holmes with Scotland Yard detectives. A love story is interwoven in the plot but it is unimportant:—

Allan Dinehart, an unscrupulous lawyer, is the leader of a group of men who were planning to divide a fortune, proceeds of the sale of the jewels that they had stolen five years previously. June Clyde is a member of the group, but she is there on instructions from her father, who had died; she does not know where the money is coming from. One of the men of the ring is murdered and his widow visits Reginald Owen (Sherlock Holmes) for his help in obtaining money from Dinehart. Knowing Dinehart's bad reputation Owen becomes interested in the case. It is finally uncovered that Dinehart, working with another member of the group and this man's Chinese mistress, plotted to murder all the other members of the group so that they might divide the fortune between themselves.

The plot has been suggested by a story by A. Conan Doyle. It was directed well by Edwin L. Marin. In the cast are Anna May Wong, John Warburton, Alan Mowbray, J. M. Kerrigan, and others.

Aside from the fact that it might frighten children, it is suitable for children, adolescents, and for Sundays.



### "The Story of Temple Drake" with Miriam Hopkins

(Paramount, April 28; running time, 69½ min.)

Vile! It was founded on William Faulkner's novel "Sanctuary." The most lurid and horrible details of the book have been put into the picture. The degenerate acts implied in the book were omitted. But the picture is filthy and nauseating in its intent, and horrible in its different characterizations. Never before have sex situations been so boldly and luridly pictured. How is one expected to sympathize with a heroine who is shown as being over-sexed, given to "petting" with many men, finally living in a bawdy house with a slimy gunman, whom she eventually kills? What sort of entertainment value is there in a picture that has situations such as this: the gunman enters the barn where the heroine is sleeping, his intention being to seduce her; when a young half-witted boy attempts to stop him he shoots the boy in cold blood and kills him and then seduces the girl. Before that occurrence one is treated to the sight of several ugly, unkempt, dirty men making attempts to get the girl. The total effect is that of disgust and a feeling of having witnessed something extremely unhealthy that leaves one with a bad taste.

In the development of the plot the heroine is shown going off on a drunken spree with a college boy. Their auto smashes and they are picked up by the villain and some of his men and taken to a shack. Since it is storming and her boy friend had passed out the heroine finds it impossible to leave and the woman of the house puts her in the barn for safe-keeping. In the morning the villain enters, shoots the boy who was standing guard over her, and rapes her. He then takes her to a bawdy house where she willingly stays with him, fascinated by the physical appeal he has for her. The owner of the shack is arrested and charged with the murder, but he refuses to talk for fear lest the villain kill him. The hero, a lawyer designated to defend the man, receives information as to the whereabouts of the villain. He goes to the bawdy house and there he finds the villain together with the heroine. He is shocked and heart-broken for he had always been in love with the heroine and wanted to marry her. She professes to love the villain in order to prevent him from killing the hero and after the hero leaves she tells the villain she is through with him. When he tries to prevent her from leaving she kills him. Then she goes back home and the hero forces her to appear as a witness. She tells the whole story, clearing the name of the accused man. She faints and the hero lifts her up in his arms saying that he was proud of her.

It was directed by Stephen Roberts. In the cast are Jack LaRue, William Gargan, William Collier, Jr., Irving Pichel, Sir Guy Standing, Florence Eldridge, and others. No exhibitor can show this picture to decent people.

### "The Barbarian" with Ramon Novarro

(MGM, May 12; running time, 88 min.)

Mediocre. The first three reels are light comedy and are pretty entertaining; they present Mr. Novarro as an Egyptian dragoon (guide and interpreter) to visiting Europeans; he is shown as being adept at making love to white women who go to visit the pyramids, and extracting valuable presents from them. But after he sees the heroine and becomes fascinated by her beauty, managing to attach himself to her as a dragoon, the interest drops like a ton of bricks, for Novarro's real character comes out to the surface; he is shown as brutal, and lacking in fine traits, for at one time he, incensed because the heroine spurned him, tricks her and takes her to the quarters of another villain, a pasha (titled Egyptian), in the desert, as a revenge. Nor does one feel much sympathy for the heroine, for she is shown in the closing scenes as jilting the man she was about to marry and following this Egyptian. In real life, a woman in her position would have slapped the hero and delivered him over to the authorities for punishment, for he had, not only deceived her, taking her away from her destination, but also mistreated her.

Edgar Selwyn wrote the story; Sam Wood directed it. Myrna Loy, Reginald Denny, Louise Closser Hale, C. Aubrey Smith, Blanche Frederici, Hedda Hopper and others are in the cast.

Though there is no immorality shown, it is hardly a picture for children or for adolescents, or even for Sunday showing, on account of the fact that the chief characters lack decent traits.

### "The Silver Cord" with Irene Dunne

(RKO, May 19; running time, 75 min.)

This is an excellent dramatic study of excessive mother love. In adapting it to the screen from the stage play hardly any changes have been made and it remains as the stage play was, all talk and no action. This becomes tiresome after a while, for the speeches are long and occasionally disturbing, particularly in the case of Laura Hope Crews, the mother; although her acting is superb, after listening to her talk for a while one begins to feel a buzzing sensation.

It is a character study of a selfish mother, who thinks only of her welfare. By insidious innuendos she poisons her sons' minds, her intention being to have them desert their sweethearts and stay with her, her love for them being almost abnormal. Her behavior will arouse audiences and fill them with resentment against her, for in setting out to accomplish her purposes she hurts several people.

The most dramatic situation is where Frances Dee, jilted by Eric Linden, who was so weak-willed that he heeded his mother's suggestions, becomes hysterical. Her behavior is so natural, and at the same time so dramatic, that great sympathy is aroused for her.

In the development of the plot Irene Dunne, married to Joel McCrea, the other son, realizing how cruel the mother was, and sympathizing entirely with Frances Dee, forces McCrea to choose between her and his mother, for she realizes that the mother might wreck her marriage. She shows the mother up for what she is and then leaves the house. McCrea rushes after her, realizing that what she had said was true. But Eric Linden is left with his mother, his life ruined, and his hopes shattered.

The plot was adapted from the stage play by Sidney Howard. It was directed by John Cromwell.

Suitable for children, adolescents and for Sundays. It is mostly a woman's picture. But because its tone is very pessimistic, it is doubtful if it will draw much business.

### "India Speaks"

(RKO, April 28; running time, 75½ min.)

This is just a fair travel picture made up of newsreel shots taken by several people. There is a running commentary contributed by Richard Halliburton, the well-known author and adventurer, and he appears in some of the scenes just to give continuity to the story; however, according to comments made by Mr. Halliburton to the newspapers, all the scenes in which he appears were made in Hollywood.

The picture is taken up for the most part with the more unpleasant side of India. For instance, it shows the pitiful state of the untouchables of India; that is, millions of people who are without caste, whose only means of earning a livelihood is begging. Scenes are shown of religious fanatics going through all sorts of torture to "cleanse" themselves, as they call it. They put hooks through their flesh permitting people to pull on them; others put spikes through their tongues; some put nails in their bodies, and go through this torture for hours in a frenzy of religious ecstasy. These scenes will sicken sensitive people.

Marriages between children of twelve years of age are shown. Also the marriage custom of a certain tribe where a girl is married to the older brother of a family and then is forced to accept as additional husbands all his other brothers.

A fight between a lion and a tiger is staged and this is only fairly exciting, since much more thrilling animal fights have been shown in other pictures.

The custom of burning dead bodies is shown, after which the ashes are thrown in the River Ganges. The rites are performed by the nearest member of the family, usually the widow. It is explained that the plight of the widow is pitiful for she is not permitted to remarry and is virtually made the slave of her dead husband's family.

One scene that is rather disgusting shows the people bathing in what they call the sacred waters of a certain river, and then drinking the same dirty water.

Scenes are shown of Tibet. The only way to get there is across the Himalayas, which is dangerous and arduous.

The picture has been produced by Walter Futter.

It is not a pleasant picture. The scenes of torture may sicken children and many adolescents.

Hardly a Sunday picture, but not on the grounds of immorality; only of unpleasantness.



who can put Hays where he belongs with the correct information. Hays always takes care to deal in percentages and other generalities, for he knows that persons from outside the industry either do not know how to obtain correct information, or are too busy to bother with it. For instance, an officer or member of an organization, religious, civic, or fraternal, who wants to know, could call on his local theatre owner, and he would obtain the truth from him, provided his theatre is not owned or controlled by a moving picture producer-distributor. In many cases he could obtain the facts even from the manager of a producer-controlled theatre, because most of these managers are decent persons and would tell him the truth.

"3. The current statement of critics that socially valuable pictures are included with undesirable films to help sell a 'block' are not true. A recent check-up of the sales of two companies demonstrated that RANGO, TABU, SILENT ENEMY, SEVEN DAYS LEAVE, WITH BYRD AT THE SOUTH POLE, OUTWARD BOUND, PENROD AND SAM, DISRAELI, ALEXANDER HAMILTON, GREEN GODDESS, STAR WITNESS, OLD ENGLISH, MOBY DICK, CHILDREN OF DREAMS, THE MILLIONAIRE and VIENNESE NIGHTS, were the most frequently cancelled pictures of those sold in groups of which they were a part."

To the good people from outside the industry who want to know let me say that this statement is unqualifiedly misleading in its implications, as I shall set out to prove.

First bear in mind that this pamphlet was published in March, 1933; also that the "life" of a picture is about twelve months; that is, in approximately twelve months a picture is shown in all the theatres that have it under contract—about eighty-five per cent of the theatres show it in the first six months, and the others during the second six months.

Let me now give you the release dates of the pictures. Hays has mentioned so as to prove to you that the exhibitors cancel, as he asserts, "meritorious" pictures:

"Disraeli," with George Arliss.....Nov. 1, 1929  
 "Seven days Leave" with Gary Cooper.....Jan. 25, 1930  
 "Green Goddess" with George Arliss.....Mar. 8, 1930  
 "With Byrd at the South Pole".....June 21, 1930  
 "Silent Enemy" .....Aug. 2, 1930  
 "Old English" with George Arliss.....Aug. 24, 1930  
 "Moby Dick" with John Barrymore.....Aug. 30, 1931  
 "Outward Bound" .....Sept. 21, 1931  
 "Viennese Nights" .....Jan. 3, 1931  
 "Rango" .....March 17, 1931  
 "Tabu" .....March 22, 1931  
 "The Millionaire" with George Arliss.....May 1, 1931  
 "Children of Dreams".....July 25, 1931  
 "Star Witness" with Chic Sale .....Aug. 22, 1931  
 "Alexander Hamilton" with George Arliss..Sept. 12, 1931  
 "Penrod and Sam".....Sept. 27, 1931

Now let me call your attention to the fact that, in the period of time between November 1, 1929, the release date of the first picture in this group, and September 27, 1931, the release date of the last picture, nearly two years, there were released approximately twelve hundred pictures. Yet Will Hays cites sixteen pictures to prove to you that either the exhibitors or the public is at fault.

Let me now give you some facts that will enable you to determine whether the public was or was not at fault for not patronizing these pictures more than they patronized them.

"The Millionaire": This picture was very entertaining, and it drew a large number of people at the box office. Not a single exhibitor canceled it. So when Will Hays says that this was "one of the most frequently canceled pictures" he has not given you correct information.

"Disraeli": This picture did exceptionally well in the metropolitan areas, but only fair in the interior. The reason for it is the fact that "Disraeli" is a historical subject and people of the interior are not interested in such subjects so much.

"Star Witness": Wherever gangster pictures drew well, "Star Witness" did a phenomenal business, but it "died" in the South and the Middlewest. The reason for it is obvious—family people do not care about gangster themes, even if much of the other action is charming. Moreover, Chic Sale,

who as a rule takes the part of an old man in pictures, is not a good box-office name—he is a character actor.

"Seven Days Leave": The reason why this picture did not draw is because there is no romance in it, and the action is too slow: it deals with a British soldier who befriended a "mother" when in London on leave of absence; he was killed in the war. Experience has proved that the death of the hero is not relished by the audiences who seek enjoyment in a picture theatre.

"Green Goddess": Unfortunately George Arliss, although popular among the cultured picture-goers, is too old to appeal to the younger generation. Besides, the subject matter—about India—has never proved a popular picture entertainment. Since a silent version made in 1921 proved a box office failure it should not have been produced again.

"With Byrd At the South Pole": This was not a drama but merely a travelogue. The picture-goers had read so much of this expedition in the newspapers that there was nothing new in the picture to attract them. Besides, it was a silent picture and at the time it was released this sort of pictures lost their popularity entirely.

"Silent Enemy": This picture dealt with people and customs that are foreign to ours—about Indians of the North. Besides, it was a silent picture and the popularity of silent pictures had died down at the time it was released.

"Old English," with George Arliss: This was only a character study; it lacked action and therefore it was tiresome. It was natural that it should have failed.

"Moby Dick," with John Barrymore. Mr. Hays shows a very poor taste and total lack of knowledge of human psychology when he puts forward this picture to condemn the taste of the public. This picture was so gruesome that it sickened people who looked at it. The hero's leg is shown as having been bitten off by a shark and a hot iron is applied on it to prevent infection. A morbid subject. It did not draw.

"Outward Bound": The reason why this picture failed was because it dealt with dead people. Isn't this a good reason?

"Viennese Nights": This was a charming operatta in color but at the time it was released there had been so many musical pictures shown that the public had been surfeited. A sufficient reason.

"Rango": This was a travelogue, showing monkeys and other wild animals in Sumatra, with a fight between a tiger and a buffalo. It was mostly a repetition of the same shots, showing closeups of monkeys. The characters were two dirty natives. It was a silent picture, at a time when the silents went out of vogue. It failed at the box office—naturally.

"Tabu": This picture dealt with the customs of South Seas Islanders. It was foreign to our customs and manners, and the story was too thin. Besides, it was a silent picture, out of style by that time. It naturally failed at the box office.

"Children of Dreams": This was a musical picture; it was released right when people had become sick and tired of this sort of picture entertainment.

"Alexander Hamilton," with George Arliss: This was a historical subject, and even though it was good it failed because the present generation is not interested so much in things that happened many years ago. Besides, George Arliss is, as said, popular mostly with old cultured picture-goers.

"Penrod and Sam": This Booth Tarkington story dealt with children, and many adults do not like this sort of material in pictures. It is a matter of taste.

These are the reasons why these pictures failed and not the irresponsible assertions made by Hays. Any one can check up the facts if he wants to go to the trouble of checking them up.

But suppose all these were A-1 pictures. Is that a reason why the public should patronize them if they should happen to be founded on themes they do not enjoy? Just because Mr. Hays likes beans is no reason why every American citizen should eat beans! The duty of the producer is to ascertain what pleases, not him, but the public and cater to their tastes.

(To be continued next week)

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No. 20

## Will H. Hays' Misleading Assertions About Block-Booking—No. 3

*(Editor's Note: As I explained in last week's issue, the editor of a prominent publication requested me to inform him whether the statements about block-booking made by Will H. Hays in a special bulletin he issued last March are accurate or inaccurate; and since a reply to those statements should help enlighten others from outside the industry who may want to know the truth, I have decided to print my reply in these pages.)*

In last week's article I gave valid reasons why the picture-going public did not patronize more liberally the sixteen pictures Will H. Hays held up as an example of inappreciation. In that discussion the public was exonerated. Let me now present to you several expensive pictures the public shunned even though they were founded on a sex theme, the very theme the Hays group believe essential in the main for the commercial success of pictures; they cost anywhere from \$400,000 to \$1,000,000.

**AN AMERICAN TRAGEDY:** In my career as an owner of a motion picture theatre from 1907 to 1917, as a reviewer for Motion Picture News during 1918 and half of 1919, and as a publisher of HARRISON'S REPORTS since July, 1919, I have not known another picture to receive as much publicity as "An American Tragedy." The book created a sensation when it first appeared, and after the picture was completed there was still wider publicity given to it by Dreiser's efforts to prevent Paramount from releasing it on the ground that it did not convey the spirit of the book. There was additional publicity when the courts decided against the author. The business conditions at the time the picture was released were normal. Since the theme was sex, there was every reason to believe that it should have made a great commercial success. It made a miserable failure, losing a few hundreds of thousands of dollars directly, and several hundreds of thousands in prestige.

Why?

Because the picture-goers revolted at the sight of a young man cold-bloodedly planning to murder the poor girl he had seduced so as to make himself free to marry a wealthy girl. The decency hidden within even the morbidly and sexually inclined persons revolted at the very thought of being offered as entertainment a picture showing such a dastardly act. I warned the Paramount executives through the *Forecaster* that such would be the fate of the picture, but they did not heed that warning.

**POLLY OF THE CIRCUS:** By all rules of the commercial "game," this picture should have made a "howling success," because Marion Davies, who acted the leading woman's part, is very popular, and Clark Gable was beginning at that time to attain great popularity. It made a commercial failure, on account of the dirty expressions the characters were made to utter.

**THE WORLD AND THE FLESH:** At the time this picture was released, George Bancroft was still popular. Accordingly, the picture should have proved a commercial success, for it was founded on a sex theme. It was so sexy, in fact, that in one situation Bancroft was shown unbuckling his belt, giving a clear hint as to what he had in mind about the heroine at that moment. The picture failed; it offered no entertainment, even to those who seek sex in pictures.

**SKYSCRAPER SOULS:** From the production point of view, this picture was one of the finest ever produced. The setting represented a building of the magnitude of the Empire State Building, in New York City. And a popular actor, Warren William, appeared in it. Since it was founded on a boldly sex theme, it should, by all rules of the "game," have made an unprecedented commercial success. It made a miserable failure, losing for the producers more than one-half millions of dollars. There was no human appeal in the story and the situations that showed Warren

William trying to seduce an innocent young girl evidently proved revolting to decent people.

**STRANGE INTERLUDE:** Because of the fame of the author (Eugene O'Neill), and of that of the leading woman player (Norma Shearer), this picture should have made a "howling" success, for it was founded on a sex theme, so necessary, in the opinion of the present picture producers, for the commercial success of pictures. It made a failure.

**RAIN:** Could there be a picture that offered greater opportunities to draw the morons than this one? It showed a missionary capitulating to his sexual desires. How miserable its commercial failure proved to be only United Artists, the organization, which sold it to the exhibitors, can tell us. You may rest assured that the loss amounted to a fortune—perhaps \$400,000.

**RASPUTIN:** If sex alone could help a picture draw large crowds, this one certainly would have done the work, for Rasputin is shown entering the room of a fourteen year old princess with the intention of seducing her; it shows also other orgies of his. Besides, the picture has cost almost one million dollars. The picture is "dying." The scenes of the intended seduction are too revolting. And so are those that show the hero murdering Rasputin with a poker.

It is hardly necessary to treat in detail such failures as "They Call It Sin," "Hot Saturday," "Faithless," "The Match King," "Employee's Entrance," "The Mystery of the Wax Museum," "Our Betters," "Tonight Is Ours," "Vice Squad," "My Sin," "Twenty-four Hours," "Friends and Lovers," "Strictly Dishonorable," "The Impatient Maiden" ("The Impatient Virgin"), "The Cheat," "Tonight or Never," "Private Lives," "Tomorrow and Tomorrow," "Wet Parade," "The Greeks Had a Word for Them," "Sinners in the Sun," "As You Desire Me," "Freaks," and others. In fact, for every sex picture that has made a success I can show ten that have made a failure. Mr. Hays knows this very well; or he ought to know it. And yet he attempts, in a subtle, insincere way, to condemn the public for its failure to attend the performances of pictures he thinks are worth patronizing, and subtly to defend the demoralizing and the horrifying pictures the members of his organization have been producing.

The Bulletin's editorial continues:

"4. The frequently made statement that block booking precludes an exhibitor's selection of films to suit his patrons is best answered by the opinion of the United States Circuit Court of Appeals of April 5, 1932:

"Moreover, the evidence in the record discloses that the effect of this method of negotiation has not been to unduly restrain the exhibitor's freedom of choice. It is only a small percentage of contracts made which are for blocks offered. The greater number are shown to be for a few pictures only. . . ."

Hays has the nerve of an elephant to quote a fraction of the court's decision in an effort to prove that white is black. I have not read the testimony submitted to the court; therefore, I am not in a position to say what was the evidence presented. All I can say is that, although there were seventeen odd thousand pages of testimony, the Counsel for the Commission, when he appealed the case to the Circuit Court of Appeals, printed only one thousand pages, which, according to a lawyer friend of mine, were the weakest of the lot. And of these, 200 dealt with the government case. Far be it for me to criticize the court for the decision; I am only stating that the case, according to my information, had been so emasculated by Commission Counsel by the time it reached the Circuit Court of Appeals that there could have been no other decision. All I want to add is that the case,

(Continued on last page)



### **"Adorable" with Janet Gaynor and Henry Garat**

(Fox, May 19; running time, 84 min.)

A very good light entertainment! Although it is rather slow at times, the story is pleasingly romantic; the settings and photography are splendid, and in addition to the usual good performance of Janet Gaynor, the French actor Henry Garat, makes his screen debut. He should win many fans for he has an agreeable voice and a pleasant personality, which occasionally reminds one of Chevalier. It is a wholesome entertainment, leaving one in happy spirits. Comedy is supplied by Herbert Mundin, as a snooping secret service man.

A mythical kingdom is the background of the story. Janet Gaynor is a princess and, craving excitement, goes to a servants' ball dressed as one of them. There she meets Henry Garat, officer of the guard, who tells her he is a delicatessen man; she tells him she is a manicurist. Watching the troops from a window in the palace the next day she joyfully discovers that Garat is a lieutenant. Without disclosing her identity to him she orders promotion after promotion for him until he is made a General. She meets him secretly and they fall in love with each other; he still believes her to be a manicurist. The King's minister, thinking that she is in love with a delicatessen man, as she had once hinted, arranges for her to meet Garat and he orders Garat to charm the Princess so as to make her forget "another man." But Garat is shocked when he finds that the Princess is none other than the girl he loves. He becomes cold in manner. Enraged at his treatment of her, Janet consents to marry a wealthy Prince. At a reception given in honor of their betrothal, the Prince watches Janet dancing with Garat. He realizes they are in love and, since it does not matter to him whether he married Janet or not, begs her to release him so that he might pursue his hobby of digging up Egyptian mummies. Janet gladly consents and then asks her brother, the King, only a youngster, if he would permit her to marry Garat. He consents and then makes Garat a Prince.

The plot has been adapted from a story by Paul Frank and Billie Wiley. It was directed by William Dieterle. In the cast are Blanche Frederici and others.

Good for children, adolescents, and for Sundays.

Substitution Facts: This is replacing No. 42 listed on the contract as "Broken Blossoms," from the story "The Chink and the Child" by Thomas Burke. It is a story substitution.

### **"Footsteps in the Night"**

(Invincible Pictures; running time, 55 min.)

A fair program picture. It is a British production with an all English cast. Suspense is fairly well sustained throughout because of the constant danger to both the hero and the heroine who had secret written plans which were desired by the villain. Much sympathy is felt for the heroine when she is left alone in her home with the villain while the hero was being held prisoner by one of the villain's men. The photography occasionally is poor and the sound is "tinny" at times making it difficult to understand what is being said:—

The hero and the heroine are married and go to their country estate to spend their honeymoon. As soon as they arrive there he receives a telegram to return to London at once with certain important plans; he does not know that the villain had sent the wire. By mistake he leaves the plans at home and when he is held up on the train and taken to a lonely spot where he is held prisoner the search does not reveal the plans. He begs his captor to send a telegram to his wife which he words so cleverly that she understands the plans are at home. The villain arrives there and she finally eludes him and takes a train to London. But he follows her by automobile. Finally the hero escapes and joins the heroine. The villain and his man are caught and arrested.

The plot was adapted from a story by C. Fraser-Simson. It was directed by Maurice Elvey. In the cast are Benita Hume, Harold Huth, Peter Hannen, Walter Armitage, and others.

Suitable for children, adolescents and for Sundays.

### **"The Devil's Brother" with Laurel and Hardy**

(MGM, May 5; running time, 90 min.)

High class audiences, familiar with the music of "Fra Diavolo," the comic opera from which "The Devil's Brother" has been adapted, may be fairly well entertained by this picture. But for the masses it is too slow. Laurel and Hardy followers, who expect a howlingly funny comedy, will find only partial enjoyment in it. The scenes in which

they appear are funny enough and should bring many laughs, but when they are off it drags and occasionally it is dull. It has been produced in the costumes of the early nineteenth century, and the background is that of the Italian countryside, most of the action being confined to an inn. Dennis King has a pleasant voice and pleasing personality, but each time he starts to sing all action is stopped and either he sings alone or a chorus joins in with him. One feels as if a stage play had been taken in its entirety and transplanted to the screen, without making use of the scope and space that motion pictures afford.

Hal Roach is the director. In the cast are James Finlayson, Lucille Brown, Arthur Pierson, Henry Armetta, Matt McHugh, and others.

The situation in which King asks Todd to take her clothes off and put on a negligee is rather suggestive. Otherwise suitable for children, adolescents and for Sunday showing.

### **"I Cover the Waterfront" with Claudette Colbert, Ben Lyon and Ernest Torrence**

(United Artists, May 17; running time, 70 min.)

Not an entertainment, even though it holds one's attention. It belongs to the "Tiger Shark" or "Moby Dick" class—it makes one sick in the stomach to watch it. The opening scenes will be considered by many horrible; an alive Chinaman is thrown into the sea, with a chain around his body—a cold-blooded murder. Torrence is a smuggler of Chinese into the United States from Mexico and he drowns the Chinaman in order to remove evidence of his guilt. Later on in the story it is shown that the leg of one of the crew of Torrence's motorboat was bitten off by a shark. The closing scenes are very unpleasant; Ben Lyon takes a knife and cuts off the stomach of a shark, and a Chinaman falls off it; he had been hidden there by Torrence so as to prevent the Revenue Cutter men from finding evidence of his smuggling activities. I saw women get up and walk out before the picture was over. So sickened were they.

The plot has been founded on the well known book by Max Miller. The book material was Mr. Miller's autobiography; it dealt with his work while he was covering the waterfront at San Diego, California, representing a local paper. The story was sketchy; it gave an account of his different experiences. Since the material was not suitable for a picture, the producers engaged a writer to whip it into shape. A love story was put into it. But the alterations, although they unified the material, did not improve it much from the point of view of entertainment. It may be judged as being a good horror story for people who have strong stomachs. The love story presents Claudette Colbert and Ben Lyon as having had a love union; but even this does not seem to improve the story much for those who seek sex in pictures, and it hurts the picture for family audiences.

The picture was photographed mostly outdoors, and the photography is excellent. With a more cheerful twist it should have made a good attraction.

Unsuitable for sensitive children, for adolescents, or for Sunday showing. It is a man's picture, for such men as are not shocked by horrible sights.

### **"Breed of the Border" with Bob Steele**

(Monogram Feb. 28; running time, 54 min.)

A fairly good Western, with plentiful action and speed. Not only is there the usual fast horseback riding, but, by reason of the fact that the hero is an automobile racer, there is some exciting automobile driving, particularly in the closing scenes where the hero gives chase to the villain who was attempting to escape with bonds belonging to the heroine's uncle. Suspense is fairly well sustained throughout since the hero is in danger due to his joining up with the villain's gang in order to get the information he wanted against them; also because of the fact that the heroine was a secret service agent, out to get information about the villain's gang, who were rustling cattle. The situation in which the hero is recognized as the driver of the automobile which had taken the villain across the border is exciting; the villain is particularly enraged at seeing the hero because he had thought that his men had killed him. There is a pleasant romance between the hero and the heroine, with the usual misunderstandings when the heroine believes the hero belongs to the gang, and is later sorry for having mistrusted him when she discovers his real motives.

The plot has been adapted from a story by Harry D. Jones. It was directed by Robert N. Bradbury. In the cast are Marion Byron, Ernie Adams, Wilfred Lucas, George Hayes, Fred Cavens, and others.

Suitable for children and for adolescents; also for Sunday days where Westerns are shown.



### **"The Eagle and the Hawk" with Fredric March, Cary Grant and Jack Oakie**

(Paramount, May 19; running time, 73½ min.)

Only fair entertainment. The public has been surfeited with war pictures, and "The Eagle and the Hawk" does not present anything particularly novel in the way of such entertainment. It is, however, an excellent character study, with a theme that is rather morbid. Much sympathy is felt for the hero who, because of his disgust at war and the necessity of killing and seeing young men killed, is completely demoralized, finally committing suicide because of his inability to bear up under the strain.

The air scenes are quite thrilling—they show enemies shooting at each other's planes, one of them eventually falling to the ground, bringing about the death of the pilot and his gunner. Observation balloons are fired at and they go up in flames. Men jump from them by means of parachutes and it is quite pitiful to watch some of being shot at in midair.

The enmity between the hero and his gunner arouses pity for both of them since they cannot understand each other. The hero is embittered watching men being killed while his gunner takes it in a matter-of-fact way.

The closing scenes are quite powerful, although rather horrible;—the gunner, finding the hero dead and not wanting him to be branded a coward, takes the body up in a plane and riddles it with bullets. In this way it looks as if the hero had been killed by the enemy, and he is buried with honors.

The single love situation that has been worked into the story is hardly necessary since it is quite sexy and has not been done with taste. As a matter of fact the audience at the Paramount Theatre, where I reviewed this picture, snickered at the suggestiveness of it.

The plot has been adapted from a story by John Monk Saunders. It was directed by Stuart Walker. In the cast are Carole Lombard, Sir Guy Standing, Forrester Harvey, Kenneth Howell, and others.

Because of the situation mentioned, it is unsuitable for children, adolescents or for Sundays.

### **"Lilly Turner" with Ruth Chatterton and George Brent**

(First National, May 13; running time, 64 min.)

An unpleasant sex melodrama. Both in action and talk sex is predominant, and the characters, with the exception of the hero, are weak and immoral. One conversation between the heroine and a man who is trying to induce her to spend the night with him is something like this: he berates her for being true to her drunken husband and says: "Why don't you wake up?" She answers: "What, alongside of you?" and he retorts, "Why not?" The next day this man starts to tell a companion about what a remarkable woman the heroine is when he is interrupted. In addition to all this, insanity is brought into the story in a most unpleasant way. The strong man of the show is mad with the desire to possess the heroine and he eventually goes insane. The scene in which he escapes from the madhouse and injures the husband is horrible. Even the ending is unsatisfactory, since one feels pity for the hero who gives up his career. The whole thing is rather cheap and leaves one with a bad taste:—

The heroine, a small town girl, marries a city man who had swept her off her feet. After their marriage she finds out what he really is and is forced to join him in his act with a circus. When she tells him she is going to have a baby he deserts her, and she later learns that she really was not married to him since he had another wife. A circus barker, who is always drunk, sympathizing with her, marries her to give her baby a name. The baby is born dead and the heroine sticks to her husband. They travel from one show to another. The owner of a show induces her to spend the night with him and after that she lives with one man after another. Then she meets the hero, a taxicab driver by necessity, but an engineer by profession. When the strong man of the show goes mad and is put in an asylum, the hero joins them and takes this man's place. He and the heroine fall deeply in love with each other, and when the hero receives word of a position in Mexico he and the heroine plan to leave together, obtain a divorce for the heroine so that they might marry. The day that they are to leave the insane man, having escaped from the asylum, comes to the hotel and throws the husband through a window, crippling him for life. The heroine feels she cannot now leave her husband who had been good to her and so she begs the hero to go without her. But he decides to give up his career and stay with her.

The plot was adapted from the stage play by Philip Dunning and George Abbott. It was directed by William A. Wellman. In the cast are Frank McHugh, Ruth Donnelly, Guy Kibbee, Marjorie Gateson, Gordon Westcott, Robert Barrat, and others.

Unsuitable for children, adolescents, and for Sundays. It is not entertaining even to those who seek sex in pictures.

### **"The Warrior's Husband" with Elissa Landi, Marjorie Rambeau and David Manners**

(Fox, May 12; running time, 75 min.)

As a two-reeler it would have been excellent entertainment, for the material is not sufficient for a picture of feature length and, therefore, the interest lags after the first half. A good part of the comedy is risqué and most of the conversation has double-meanings and at times only one meaning—sex. The novelty of the story and the comedy aroused thereby hold the interest for the first half and provoke laughs. The comedy is brought about by the ludicrousness of seeing men dressed in flowing garments, behaving in an effeminate manner, while the women are the warriors and the rulers of the land; also by the modern-day slang and music used in a setting that is supposed to be in 800 B.C. The most attractive part of this picture is the handsome production given it; in addition the performances are excellent.

The story unfolds in the ancient Greek times and revolves around the kingdom of Pontus ruled entirely by women, who are the warriors. Their husbands are meek and effeminate and do all the household duties. Word is brought to the queen that a country had been discovered where the men, who are called Greeks, are the warriors and rulers. Two of these men visit the Queen and she is just a little impressed by them. She receives a challenge to fight for her warrior's belt and she, together with her troops of women, leaves for the battleground. Her sister, commander-in-chief of the troops, meets the Greek commander and they fall in love. It is difficult for her to surrender her independence but she succumbs. And so do all the other amazons when they meet the Greek soldiers. The Queen's husband steals the belt and gives it to the strong man of the Greek army. Without the belt his wife is helpless; and so it is the end of the reign of women. Hereafter the women will stay at home and the men will assert themselves by fighting and ruling.

The plot was adapted from the stage play by Julian Thompson. It was directed by Walter Lang. In the cast are Ernest Truex, Helen Ware, Maude Eburne, A. Claudia Coleman, Ferdinand Gottschalk, and others.

Not suitable for children, adolescents, or for Sundays.

### **"Jungle Bride" with Charles Starrett, Anita Page and Kenneth Thompson**

(Monogram, February 10; running time 58½ min.)

Just a fair program picture. There is some good animal stuff in it, but the continuity is so bad that the picture does not produce a better effect. There are times when there are whole scenes missing, so that the scene that follows has no connection with the previous scene. How a director, or a film editor, could have allowed the film to go out in such a shape is beyond comprehension. There is still another defect, more serious than the lack of continuity: When Starrett is introduced, he is shown on a boat, with Kenneth Thompson, a detective, taking him back to civilization to be tried for a murder. Later on in the story it is shown that Starrett was innocent, but he could not proclaim his innocence without revealing information that would shock the faith of the heroine in the dead man, who was her brother. Until this is revealed, the audience is inclined to look down upon Starrett. Had it been revealed at the very beginning, he would have captured the audience's sympathy right at the start.

In the development of the plot, the boat hits a derelict and sinks. Only Starrett, Anita Page, Thompson, and Eddie Borden, pal of Starrett, are saved. They reach the shore in life boats. Finding themselves on an island they build a hut and try to live as best as they can. Thompson is jealous of Starrett and does not let an opportunity go by to be contemptible to him. This makes Page dislike him. Soon she falls in love with Starrett. They are married by the Captain of the ship, who had been washed ashore on the ship's superstructure. A passing ship notices their smoke and flame signal and comes to their rescue. But Starrett and Page decide to remain behind.

The story is by Leah Baird; the direction, by Harry O'Hoyt and Albert Kelly.

Not suitable for children, adolescents, or for Sundays. But it does not teach a particularly good moral lesson.



for reasons unknown, was not appealed to the U. S. Supreme Court; therefore, there was no final adjudication.

As far as the layman, or any other person interested, is concerned, if he wants to convince himself that block-booking has existed in a vicious form, and still exists in the same and even worse form, all he has to do is to ask his local exhibitor about it.

"5. The motives prompting the exhibitor to buy in block are in each instance, economy, convenience and the assurance of a constant source of supply at reasonably regular intervals. Misconceptions about block-booking arise from two sources; agitators who hold out to exhibitors, by whom they are employed, the impractical dream of buying at retail for wholesale prices; and the perfect alibi block-booking affords an exhibitor criticized by his patrons for exhibiting a particular picture. . . ."

I can hardly restrain myself from exploding and telling Hays how unjust and unfair he is for making such erroneous and misleading statements; but after second consideration I decided that, if any exploding is to be done, it must be done by you when you realize, after I present the facts, how misleading they are. To begin with, Hays has been trying right along, in this pamphlet and in other pamphlets, statements, and speeches, to lead you to believe that there is no block-booking; now he tells you that there is, but that the exhibitor wants it, and that those exhibitors who point out to block-booking as an evil are doing so only to justify their showing dirty pictures. If there has ever been another person more inconsistent than Will H. Hays, show him to me. You can convince yourself that this statement does not represent the facts by asking your local theatre owner whether he wants to show a picture such as "The Story of Temple Drake"; you will find out that not a single small-town exhibitor wants to show it, and would welcome any outside help to enable him to get rid of it.

I have before me the house organ of Henry J. Holloway, of the Gem Theatre, 8830 St. Charles Road, St. Louis, Mo., and read in it the following statement under the heading "Gem Not to Show Objectionable Films":

"The two pictures, 'So This Is Africa' and 'Life Begins,' which are now being shown in St. Louis theatres, and to which children under 16 years will not be admitted, will not be shown at the Gem Theatre. . . ."

I know of others who "shelved" dirty pictures but lack of space prevents me from naming them. This should certainly offset Hays' statement that the exhibitors are condemning block-booking so as to justify their showing "a particular," that is, a dirty, picture. The exhibitor has no choice in the matter, as it was explained in the analysis of the contracts of the different distributors, which do not permit an exhibitor to cancel any of the pictures he contracted for, and he cannot buy part of the output. Now and then an exhibitor would rather pay for a picture and "shelve" it, but not very many exhibitors can afford such a luxury, and not very often, for to rent pictures for exhibition purposes costs so much that it will bankrupt any exhibitor if he were to make this a practice. This should be true particularly when the "dirty" picture should happen to be of the "percentage" class: to figure out the price of a percentage picture if it should be canceled it will be necessary for the exhibitor to furnish to the distributor his gross receipts for all pictures for thirty days prior to the date that picture was to be shown, and then by an intricate calculation the distributor arrives at the figures as to the sum of money he ought to receive as a rental for such picture. If the picture were booked for a Saturday or a Sunday showing, as is often the case (in many contracts the distributor retains the right to designate Saturdays and Sundays as the playing days for a certain number of his pictures), cancellation of it, even once, would work a great hardship on the exhibitor, because those two days are the best patronized of the week.

And why should the exhibitor be made to suffer for a dirty picture when he had nothing to do with producing it?

As to Hays' insinuation that the complaint against block-booking arises from agitators, who make the exhibitor believe that without the block-booking system they will be able to buy retail pictures at wholesale prices, allow me to say that Hays' statement is misleading on its face and in its implications. To my knowledge there is no exhibitor-organization leader, or individual exhibitor, who entertains such notions. How can he make such a statement when in most localities the independent exhibitors cannot buy film at all, no matter how much bigger prices than the producer-controlled theatres they are willing to offer? I can present to

you at least one concrete case—that of Mr. R. C. Spidell, of the State Theatre, at Dover, Ohio; Mr. Spidell has written me as follows:

"In this town, there are two theatres; the State which is my own, independent, and the Bexley, which is a chain theatre, owned by Paramount-Shea. New Philadelphia is another town just three miles distant and in that town there are two theatres, both owned by Paramount-Shea—the Bijou, which they keep closed, and the Union Opera House. Now, for the two houses they keep open, this company has bought every major company's product, for both first-run and second-run in each town. And then, to top this off, they have bought these pictures "Exclusive" (Editor's Note: Not to be shown in any other theatre in either of these two towns at any other time), so that we cannot buy even a third-run.

"We know that they have bought twice as many pictures as they can possibly use. They did the same thing last year and did not play more than half the pictures they bought.

"Last fall when we could not buy any of these companies' products for the current season (Editor's Note: A picture Season is from August 1 of one year to July 31 of the next) we tried to buy what this chain did not use from last season's products; but we were refused even this. Surely this cannot be right. We have about \$——— invested in our theatre and we are going to lose it all just because this chain theatre company buys all the pictures that are made, and gets exclusive showings on them, so that we cannot buy either first-run, second-run, or even third-run. . . ."

This is not an isolated case; there are hundreds like them. I have many such letters in my files. All I can say is that, when there is a producer-controlled theatre in a locality, it corrals all the best product, and in most cases buys up more pictures than it can possibly use, so as to keep them away from the independent theatre owner.

And then Will H. Hays has the brass to stand up without blushing and tell you that "block booking" is an alibi, offered by the independent theatre owner to justify a dirty picture he has shown! Ye gods!

I don't know whether Mr. Hays worked in a circus when he was young. I suspect he did, for only persons who had had a circus experience can so twist things around. For instance, three years ago last March he formulated his famous Morality Code. During these three years he kept telling the American public that the pictures were now clean. In March he was in Hollywood and, as I informed you two weeks ago, threatened the producers with dire consequences unless they stopped putting "dirt" into the pictures. When was he right? Then, or now? If then, he is wrong now, a thing which he, of course, is not, for he would not have issued threats unless there was dirt in pictures. Naturally he must be right now, and was wrong then. In other words, for three years (I shall not touch upon the pre-Code period) he has been giving the American public misinformation about pictures so as to appease its wrath; and when he found out that he could no longer do it, he issued threats.

Will the members of his organization pay any attention to his threats now?

Let us find out whether they will or not: These threats were made about the end of March. On Friday, last week, there was released in New York City, and will soon play in other cities, "The Story of Temple Drake," which has been founded on William Faulkner's book "Sanctuary," one of the vilest books that have ever been published. How vile it is you may gather from the fact that in one situation of the book it is implied that the virtue of a young girl was destroyed by a degenerate by a vile method; and in another, that this degenerate was whinnying like a horse while the young woman was in an unnamable posture with a young man. These situations have been removed from the picture plot, of course; but the picture violates the Hays morality code in at least three particulars: it shows lustful kissing, excessive drinking, and a rape.

Long before the picture was produced, I pleaded with Paramount not to make it, pointing out to the harm it would do to the motion picture industry if it were to produce it. Copies of the correspondence exchanged between the Paramount head and myself were sent to Will H. Hays. Did sanctimonious Hays do anything to stop production of it? No! All he did was to threaten the members of his organization with exposure to the public unless they put an end to filth in films, but that is as far as he went, and that is as far as he will go, if we are to judge by his having permitted "Temple Drake" to be shown.

(To be concluded next week)



## HARRISON'S REPORTS

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No. 20

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3917 Whirlwind—Tim McCoy (59 min.).....	Apr. 14
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712 The Mind Reader—William-Cummings .....	Apr. 1
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18 Sailor's Luck (Shanghai Madness)—Dunn....	Mar. 10
41 After the Ball—Ralston-Rathbone.....	Mar. 17
20 Pleasure Cruise (Untitled Tracy)—Tobin.....	Mar. 24
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48 Cavalcade—Special .....	Apr. 15
37 Trick for Trick—Morgan-Jory.....	Apr. 21
36 Zoo in Budapest (Desert Flame)—Young.....	Apr. 28
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42 Adorable (Broken Blossoms)—Gaynor (reset)...	May 19
14 Hold Me Tight (Checkers)—Dunn-Eilers....	May 26
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1 I Loved You Wednesday (Precious)—Baxter...	June 9
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312-Today We Live—Crawford-Cooper.....	Apr. 21
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332-The Barbarian—Novarro-Loy .....	May 12
330-Made on Broadway—Montgomery-Evans.....	May 19
314-Peg O' My Heart—Davies-Stevens.....	May 26
342-(330) Hell Below—Montgomery-Evans (re)...	June 2
341-Never Give a Sucker a Break—L. Tracy.....	June 9
302-Reunion in Vienna—J. Barrymore (reset)....	June 16
331-When Ladies Meet—Montgomery-Harding...	June 23
320-Hold Your Man—Harlow-Gable.....	June 30



## Monogram Features

(723 Seventh Ave., New York, N. Y.)

Crashing Broadway—Rex Bell.....	Jan. 30
West of Singapore—Betty Compson.....	Jan. 30
Trailing North—Bob Steele.....	Jan. 30
Jungle Bride—Page-Starrett.....	Feb. 10
Breed of the Border—Bob Steele.....	Feb. 28
Oliver Twist—Moore-Pichel-Boyd.....	Mar. 10
Phantom Broadcast—Forbes-Osborne.....	Mar. 30
Black Beauty—Kirkland-Ralston.....	Apr. 15
Casey Jones—(reset).....	May 25
Gallant Fool—Bob Steele.....	May 29
Fighting Texans—Rex Bell.....	June 15

## Paramount Features

(Paramount Bldg., New York, N. Y.)

3235 From Hell to Heaven—Oakie-Lombard.....	Feb. 24
3236 A Lady's Profession—Skipworth-Young.....	Mar. 3
3241 King of the Jungle—Dee-Crabbe.....	Mar. 10
3237 Strictly Personal—Rambeau-Quillan.....	Mar. 17
3238 Pick Up—Sylvia Sidney-George Raft.....	Mar. 24
3240 Murders in the Zoo—Ruggles-Atwill.....	Mar. 31
3239 Under the Tonto Rim—Stuart Erwin.....	Apr. 7
3242 Terror Aboard—Halliday-Ruggles.....	Apr. 14
3243 A Bedtime Story—Chevalier-Twelvevrees.....	Apr. 21
3245 Song of the Eagle (Beer Story)—Arlen.....	Apr. 28
3247 Supernatural—Lombard-Scott-Dinehart.....	May 5
3244 The Story of Temple Drake—Hopkins (re).....	May 12
3249 The Eagle and the Hawk—March-Lombard.....	May 19
3248 Sunset Pass—Scott-Keene-Carey.....	May 26
3251 The Girl in 419—Dunn-Stuart-Manners.....	May 26
3250 International House—All start cast.....	June 2
3246 I Love That Man—Lowe-Carroll.....	June 9
Jennie Gerhardt—Sidney-Cook-Astor.....	June 16
Gambling Ship—Grant-Hume-Farrell.....	June 23
College Humor—Oakie-Arlen-Crosby.....	June 30

## RKO Features

(Radio City, New York, N. Y.)

31158 Sailor Be Good—Osborne-Oakie.....	Feb. 10
31114 Topaze—Barrymore-Loy.....	Feb. 24
31139 The Great Jasper—Dix-Engels.....	Mar. 3
31125 Scarlet River—Tom Keene.....	Mar. 10
31106 Our Betters—Constance Bennett.....	Mar. 17
31154 Man Hunt (Faithful Are Forgotten).....	Mar. 24
31149 Christopher Strong (Nurse Smith) Hepburn.....	Mar. 31
31128 Sweepings—Lionel Barrymore.....	Apr. 14
31680 India Speaks—Special.....	Apr. 28
31126 Son of the Border—Tom Keene.....	May 5
31690 Diplomaniacs—Wheeler-Woolsey (Special).....	May 12
31131 Silver Cord—Dunne-McCrea.....	May 19
31152 Emergency Call—Bill Boyd (63 min.).....	May 26
31112 Melody Cruise (Whoopie Cruise).....	June 2
31121 Tomorrow At Seven (Hippodrome)—Morris-Osborne (62 min.).....	June 9

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

Cynara—Ronald Colman-Kay Francis.....	Dec. 23
Kid From Spain—Cantor-Roberti.....	Jan. 10
Hallelujah, I'm a Bum—Jolson-Evans-Morgan.....	Feb. 3
Perfect Understanding—Gloria Swanson.....	Mar. 11
Secrets—Mary Pickford-Leslie Howard.....	Apr. 16
I Cover the Waterfront—Colbert-Lyon (72m.).....	May 17

## Universal Features

(730 Fifth Ave., New York, N. Y.)

A5009 Nagana (Pagan River)—Douglas-Birell.....	Jan. 26
A5072 The Terror Trail—Tom Mix (56½ min.).....	Feb. 2
A5029 The Rome Express—foreign cast.....	Feb. 16
A5019 Private Jones (Broken Dreams of Hollywood) Tracy-Stuart-Cook.....	Feb. 16
A5006 (5030) The Big Cage (Laughing Boy).....	Mar. 3
A5013 Destination Unknown (S. S. San Pedro).....	Mar. 16
A5073 The Rustler's Roundup—Tom Mix (56m.).....	Mar. 16
A5023 Cohens and Kellys in Trouble—Sidney-Murray.....	Mar. 23
A5031 Be Mine Tonight—foreign cast.....	Mar. 23
A5016 Out All Night—Summerville-Pitts.....	Apr. 13
A5034 The Fighting President—spec. (52 min.).....	Apr. 14
A5024 Lucky Dog (Youth Aflame)—Chic Sales (r).....	Apr. 20
A5005 Kiss Before the Mirror (Glamour)—(r).....	May 4
A2001 King of Jazz—(reissue).....	May 18
A5032 The Rebel—Vilma Banky.....	June 1
A5081 King of the Arena—Ken Maynard.....	June 1

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

424 Hard to Handle—Cagney-Brian.....	Jan. 28
358 Ladies They Talk About—Barbara Stanwyck.....	Feb. 4
("Ladies They Talk About," with Barbara Stanwyck, released February 4, 1933, is a 1931-32 release.)	
404 Wax Museum—Atwill-Wray-Farrell (78 m.).....	Feb. 18
412 King's Vacation—George Arliss.....	Feb. 25
415 Girl Missing—Lyon-Brian-Farrell (69 min.).....	Mar. 4
403 Forty Second Street—Baxter-Daniels (89m.).....	Mar. 11
433 Telegraph Trail—Wayne-Day-McHugh 55m.....	Mar. 18
422 The Keyhole—Francis-Brent-Farrell.....	Mar. 25
438 Untamed Africa—Adventure spec. (56m.).....	Apr. 8
409 Ex-Lady (Barbara Stanwyck)—Davis-Dodd-McHugh-Raymond.....	Apr. 8
425 Picture Snatcher—Cagney-Bellamy (re).....	Apr. 29
411 The Working Man (The Adopted Father)—Arliss-Davis (reset).....	May 6
435 Somewhere in Sonora—Wayne-Palmer.....	May 20
450 Gold Diggers of 1933—(1933-34 Release; available for special engagements only)—William-Blondell-Keeler-Powell.....	May 27
419 The Life of Jimmy Dolan—Fairbanks, Jr.....	June 3
416 The Silk Express (Ann Dvorak)—Hamilton-Jenkins.....	June 10
423 Private Detective 62—Powell-Lindsay.....	June 10
426 The Mayor of Hell—Cagney-Evans.....	June 24
407 "Baby Face" (withdrawn).....	

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

2 Horse Sense—World of Sports.....	Dec. 29
6 The Wolf at the Door—Scrappys (cart) (6½m).....	Dec. 29
7 Snapshots (Hollywood topics) (10½ min.).....	Jan. 6
6 Wedding Bells—Krazy Kat (cart) (6½ min.).....	Jan. 10
3 Throwing the Bull—World of Sport (11 min.).....	Jan. 14
7 Sassy Cats—Scrappys (cart) (6½ min.).....	Jan. 25
8 Snapshots (Hollywood topics) (9 min.).....	Feb. 6
7 The Medicine Show—Krazy Kat (cart) (6½ m).....	Feb. 7
8 Scrappy's Party—Scrappys (cart) (5½ min.).....	Feb. 13
8 Wooden Shoes—Krazy Kat (cart) (6 min.).....	Feb. 25
9 Beer Parade—Scrappys (cart) (6 min.).....	Mar. 4
9 Snapshots (Hollywood topics) (9 min.).....	Mar. 11
9 Bunnies and Bonnets—K. Kat (cart) (6½ m).....	Mar. 29
10 Snapshots (Hollywood topics) (9 min.).....	Apr. 10
10 Broadway Melody—K. Kat (cart) (6 min.).....	Apr. 18
10 False Alarm—Scrappys (cart) (6 min.).....	Apr. 22
11 Russian Dressing—K. Kat (cart) (6½ min.).....	May 1
4 All's Wet That Ends Wet—World of Sports (9½ min.).....	May 5
11 The Match Kid—Scrappys (cartoon).....	May 9
11 Snapshots (Hollywood topics).....	May 9

### Columbia—Two Reels

3 Lambs All Star Gambol—Lambs' Gambol (21½ min.).....	Dec. 20
3 College Gigolos—Sunrise comedy (18½ min.).....	Jan. 3
4 Campus Codes—Sunrise comedy (21 min.).....	Jan. 19
5 Partners Two—Sunrise comedy (22 min.).....	Jan. 19
6 The Curse of a Broken Heart—Sun. com. (18m).....	Feb. 4
7 Safe In Jail—Sunrise comedy (18 min.).....	Feb. 11
4 The Mutual Man—Lambs Gambol (21½ min.).....	Mar. 20
8 Strange Case of Poison Ivy—Sunrise (19½ m).....	Mar. 23
5 Hear 'Em and Weep—Lambs Gambol (19½ m).....	Apr. 10
6 The Poor Fish—Lambs Gambol (19½ min.).....	Apr. 27
7 Fifty Million Dollars Can't Be Wrong—Lambs Gambol.....	May 10

### Educational—One Reel

(Distributed by Fox, 444 W. 56th St., N. Y., N. Y.)

320909 Hollywood Diet—Terry-Toon (6 m.).....	Dec. 11
321405 Down On The Farm—Hodge-Podge (10).....	Dec. 18
321601 Cornell—Spirit of the Campus (9 m.).....	Dec. 18
320910 Ireland or Bust—Terry-Toon (6 m.).....	Dec. 25
321406 Across America in 10 Minutes—H. P. ....	Jan. 1
321505 Wild Company—Bray's Nature (10 m.).....	Jan. 1
320911 Jealous Lover—Terry-Toon (6 m.).....	Jan. 8
321303 Taming the Wildcat—Camera Adv. (8 m.).....	Jan. 15
321407 The Animal Fair—Hodge-P. (10 m.).....	Jan. 15
320912 Robin Hood—Terry-Toon (6 m.).....	Jan. 22
321105 The World Beneath Our Feet—Battle for Life.....	Jan. 22
321203 When Dad Was a Boy—Do You Rem. (8m).....	Jan. 22
321703 A Drug on the Market—Howard c. (11 m.).....	Jan. 22
321506 Woodland Pals—Bray's Nature (7 m.).....	Jan. 29



320913 Hansel Und Gretel—Terry-T. (6 m.).....Feb. 5  
 321003 Glad Rags to Riches—Baby Burl. (11 m.)...Feb. 5  
 321803 No. 3—Broadway Gossip (11 m.).....Feb. 5  
 321408 Skipping About the Universe—H.P. (10 m.)Feb. 12  
 320914 The Tale of a Shirt—T. Toon. (6 m.).....Feb. 19  
 321106 Not Yet Titled—Battle for Life.....Feb. 19  
 320915 Down on the Levee—Terry-Toon. (6 m.)...Mar. 5  
 321604 California—Spirit of the Campus (10 m.)...Mar. 5  
 321804 No. 4—Broadway Gossip (11 m.).....Mar. 5  
 321204 Puffs and Bustles—Do you Rem. (7 m.)...Mar. 12  
 321410 Women of Many Lands—Hodge-Podge  
 (9 m.) (reset).....Mar. 12  
 321304 Two Hundred Fathoms Deep—Camera  
 Adventures (9 m.).....Mar. 19  
 320916 Who Killed Cock Robin—T. Toon (6 m.)...Mar. 19  
 321705 Not Yet Titled—Tom Howard comedy.....Mar. 26  
 320917 Oh! Susanna—Terry-Toon (6 m.).....Apr. 2  
 321205 Highlights of the Past—Do You Rem.....Apr. 9  
 321410 Out of the Ordinary—Hodge-P. (9½ m.)...Apr. 9  
 320918 Romeo and Juliet—Terry-Toon (6 m.)....Apr. 16  
 321004 The Kid's Last Fight—Baby Burl.  
 (11 m.) (reset).....Apr. 23  
 321509 Not Yet Titled—Bray's Naturegraphs.....Apr. 23  
 320919 Pirate Ship—Terry-Toon (6 m.).....Apr. 30  
 321805 Broadway Gossip No. 5 (10½ m.).....Apr. 30  
 321104 The Sea—Battle for Life (9 m.) (re).....May 7  
 321507 Pirates of the Deep—Bray's Nature (re)...May 7  
 321105 Kid'N' Hollywood—Baby Burl. (11 m.)...May 14  
 321607 McGill—Spirit of the Campus (9 m.)...May 28  
 321106 Polly Tix in Washington—Baby Burl.....June 4

### Educational—Two Reels

320201 As The Crows Fly—Moran-Mack (19m.)Feb. 5  
 320304 The Hitch Hiker—Langdon com. (21m.)Feb. 12  
 320705 On the Brink of Disaster—Great Hokum...Feb. 19  
 320202 Two Black Crows in Africa—Moran-Mack  
 (20 min.).....Mar. 5  
 320404 Techno-Crazy—Vanity com. (19 min.)....Mar. 12  
 320504 Torchy Turns Turtle—Torchy com. (21 min.)  
 (reset).....Apr. 23  
 322001 Krakatoa—Special three reels (26 m.) (re)Apr. 23  
 320505 Torchy's Loud Speaker—Torchy comedy...Apr. 23  
 320106 Feeling Rosy—Andy Clyde com. (21 m) re.Apr. 30  
 320306 Not Yet Titled—Mermaid comedy.....Apr. 30  
 320204 A Pair of Socks—Moran-Mack (20 m.)...May 14  
 (320107 "Loose Relations" (20 m.) and 320203 "Hot  
 Hoofs" (18 m.) have been postponed)

### Fox—One Reel

25 Gorges of the Giants (9 min.).....Jan. 29  
 26 When in Rome—(9 min.).....Feb. 5  
 27 Berlin Medley—(9½ min.).....Feb. 12  
 28 Rhapsody of the Rails—(9½ min.).....Feb. 19  
 29 Taking the Cure—(9 min.).....Feb. 26  
 31 Paris on Parade—(9½ min.) (reset).....Mar. 5  
 32 Isle of the East Indie—(8½ min.).....Mar. 12  
 33 Iceberg Patrol—(9 min.).....Mar. 19  
 34 Gondola Journey—(8½ min.).....Mar. 26  
 35 Broadway By Day—(10½ min.).....Apr. 2  
 36 Sampans and Shadows—(9½ min.).....Apr. 9  
 30 Down From Vesuvius—(9 min.) (reset)....Apr. 16

### Metro-Goldwyn-Mayer—One Reel

S-744 Swing High—Sport Champ. (10 min.) ....Dec. 10  
 T-705 Leningrad, Gateway to Soviet Russia—  
 Fitzpatrick Traveltalks (9 min.).....Dec. 17  
 F-725 Funny Face—Flip the Frog (8 min.).....Dec. 24  
 M-766 Whisperin' Bill—Oddities (10 min.) ....Dec. 31  
 S-745 Chalk Up—Sport Champ. (10 min.) ....Jan. 7  
 T-706 Iceland, Land of the Vikings—Fitzpatrick  
 Traveltalks (9 min.).....Jan. 14  
 F-726 Coo-Coo The Magician (Cuckoo The Magician)—  
 Flip the Frog (8 min.).....Jan. 21  
 S-749 Motorcycle Mania—Sport Champ. (9 min.)Jan. 28  
 T-707 Norway, Land of Midnight Sun—Fitzpatrick  
 Traveltalks (9 min.).....Feb. 4  
 S-750 Bone Crushers—Sport Champ. (8 m.).....Feb. 18  
 T-708 Cuba, Land of the Rumba—Fitzpatrick  
 Traveltalks (9 min.).....Feb. 25  
 S-751 Allez Oop—Sport Champions (10 min.)....Mar. 11  
 T-709 The Big Ditch of Panama—Fitzpatrick  
 Traveltalks (9 min.).....Mar. 18  
 F-727 Flip's Lunchroom—Flip cart. (8 min.)....Mar. 25  
 S-752 Throttle Pushers (Speed)—Sport Champions  
 (9 min.).....Apr. 1  
 T-710 Daughters of the Sea—Fitzpatrick  
 Traveltalks (9 min.).....Apr. 8  
 F-728 Techno-Cracked—Flip cartoon (8 min.)....Apr. 29

### Metro-Goldwyn-Mayer—Two Reels

S-644 Taxi For Two—Taxi Boys com. (18 m.)...Dec. 3  
 C-634 Sneak Easily—Pitts-Todd com. (17m)....Dec. 10  
 C-624 A Lad an' a Lamp—Our Gang com. (17m)....Dec. 17  
 C-614 Mr. Bride—C. Chase comedy (19 min.)....Dec. 24  
 C-603 Towed in a Hole—Laurel-Hardy (21 min.)...Dec. 31  
 R-663 Hollywood Premiere—Revues (18 min.)...Jan. 7  
 C-645 Bring 'Em Back A Wife—Taxi Boys (20m) Jan. 14  
 C-635 Asleep in the Feet—Pitts-Todd (19m)....Jan. 21  
 C-625 Fish Hooky—Our Gang Com. (19 min.)....Jan. 28  
 C-615 Fallen Arches—C. Chase com. (19 min.)...Feb. 4  
 C-646 Wreckety Wrecks—Taxi Boys com. (19m)Feb. 18  
 C-604 Twice Two—Laurel-Hardy com. (21 m)Feb. 25  
 C-636 Maids a la Mode—Pitts-Todd (18 min.)....Mar. 4  
 C-626 Forgotten Babies—Our Gang com. (17 m.)Mar. 11  
 C-616 Nature in the Wrong—C. Chase (19 min.)...Mar. 18  
 C-647 Taxi Barons—Taxi Boys com. (19 min.)...Apr. 1  
 C-637 Bargain of the Century—Pitts-Todd (20 m)Apr. 8  
 C-627 The Kid from Borneo—Our Gang (19 m.)...Apr. 15  
 C-605 Me and My Pal—Laurel-Hardy (21 min.)...Apr. 22  
 C-617 His Silent Racket—C. Chase (19 min.)....Apr. 29  
 C-648 Call Her Sausage—Taxi Boys (19 min.)....May 13  
 C-638 One Track Minds—Pitts-Todd (19 min.)....May 20  
 C-628 Mush and Milk—Our Gang com. (18 min.)May 27  
 C-618 Arabian Tights—C. Chase com. (20 min.)...June 3  
 C-649 The Rummy—Taxi Boys com. (17 min.)....June 10

### Paramount—One Reel

Sc2-11 Reaching For the Moon—Screen s. (8½)Feb. 24  
 P2-8 Paramount Pictorial No. 8—(10 min.)....Feb. 24  
 R2-8 The Wonder Girl—Babe Didrickson (10½)Mar. 3  
 T2-12 Betty Boop's Penthouse—cart. (7½m)....Mar. 10  
 Z2-8 Hollywood on Parade No. 8—(11 min.)....Mar. 10  
 Sc2-12 Aloha Oe—Screen Song (8 min.).....Mar. 17  
 A2-9 Let's Dance—Burns and Allen (10½m)....Mar. 17  
 Y2-9 Screen Souvenirs No. 9—Novelty (10m)....Mar. 17  
 P2-9 Paramount Pictorial No. 9 (10 min.)....Mar. 24  
 T2-13 Snow White—Betty Boop cart. (7 min.)....Mar. 31  
 R2-9 Hot and Cold Chills—Sports-Eye-View 9½ Mar. 31  
 Sc2-13 Popular Melodies—Screen song (8m)....Apr. 7  
 Z2-9 Hollywood on Parade No. 9 (9½ min.)....Apr. 7  
 A2-10 Moonlight Fantasy—Headliner (5 min.)...Apr. 14  
 Y2-10 Screen Souvenirs No. 10—Novelty (10½)Apr. 14  
 T2-14 Betty Boop's Birthday Party—cart (6½m)Apr. 21  
 P2-10 Paramount Pictorial No. 10 (8 min.)....Apr. 21  
 Sc2-14 The Peanut Vendor—Screen song (10m)....Apr. 28  
 R2-10 The Aggravatin' B'ar—Sports-Eye-View 10Apr. 28  
 Z2-10 Hollywood on Parade No. 10 (11 min.)....May 5  
 T2-15 Betty Boop's May Party—Boop cart. (6 m.)May 12  
 A2-11 Walking the Baby—Burns & Allen (10 m.)May 12  
 Y2-11 Screen Souvenirs No. 11 (10 min.)....May 12  
 Sc2-15 Song Shopping—Ethel Merman (9 min.)...May 19  
 P2-11 Paramount Pictorial No. 11 (10 min.)....May 19  
 R2-11 Jabs and Jolts—Sports-Eye-View (10½ m.)May 26  
 T2-16 Betty Boop's Big Boss—Boop cart (6½ m)June 2  
 Z2-11 Hollywood on Parade No. 11 (10½ min.)...June 2  
 Sc2-16 Boilesk—Screen Song (Watson Sisters)June 9  
 A2-12 Detective Tom Howard of the Suicide  
 Squad—Headliner.....June 9  
 Y2-12 Screen Souvenirs No. 12.....June 9  
 P2-12 Paramount Pictorial No. 12.....June 16  
 T2-17 Mother Goose Land—Boop cart. (6½ m.)June 23  
 R2-12 Balance—Sports-Eye-Views.....June 23  
 Sc2-17 Sing Sisters Sing—Screen Song.....June 30  
 Z2-12 Hollywood on Parade No. 12.....June 30

### Paramount—Two Reels

S2-5 Blue of the Night—Bing Crosby (21½m)Jan. 6  
 M2-6 Don't Play Bridge With Your Wife—Sennett  
 comedy (17½ min.).....Jan. 13  
 M2-7 A Wrestler's Bride (The Wrestlers)—  
 Sennett com. (21½ min.).....Jan. 20  
 S2-6 The Singing Boxer—Sennett star (19½m)Jan. 27  
 M2-8 Too Many Highballs—Sennett (19½m)Feb. 10  
 M2-9 Easy on the Eyes—Sennett (21½ min.)Feb. 17  
 S2-7 The Fatal Glass of Beer..Fields (18½m)Mar. 3  
 M2-10 Caliente Love—Sennett (20 min.).....Mar. 10  
 S2-8 Sing, Bing, Sing—Sennett star (18m)....Mar. 24  
 M2-11 The Plumber and the Lady—Sennett 20m Mar. 31  
 M2-12 Sweet Cookie—Sennett (17½ min.)....Apr. 14  
 S2-9 The Pharmacist—Sennett star (19 min.)....Apr. 21  
 M2-13 Uncle Jake—Sennett comedy (18 min.)....May 5  
 S2-10 Dream Stuff—Sennett star com. (19½ m.)May 12  
 M2-14 Roadhouse Queen—Sennett com. (19½ m.)May 26  
 M2-15 See You Tonight—Sennett com. (20½ m.)June 2  
 S2-11 Daddy Knows Best—Sennett Star com.....June 16  
 M2-16 Knockout Kisses—Sennett comedy.....June 23



## RKO—One Reel

34206	Tight Rope Tricks—Tom & Jerry (6½m) ..	Jan. 6
34110	Silvery Moon—Fables (cart) (6 min.) ..	Jan. 13
34304	Holland Mosaics—Vagabond No. 4 (9 min.) ..	Jan. 20
34111	Tumbledown Town—Fables (cart) (6 min.) ..	Jan. 27
34207	Magic Mummy—Tom & Jerry cart. (7m) ..	Feb. 3
34112	Opening Night—Fables cart. (7½ min.) ..	Feb. 10
34504	Pathe Review No. 4 (9½ min.) ..	Feb. 17
34113	Panicky Pop—Fables cartoon (6 min.) ..	Feb. 24
34208	Happy Hoboes—Tom and Jerry (7 min.) ..	Mar. 3
34114	Loves Labor Won—Fables cart. (6½m) ..	Mar. 10
34305	Bali—Vagabond No. 5 (9 min.) ..	Mar. 17
34115	The Last Mail—Fables cart. (6 min.) ..	Mar. 24
34116	Runaway Blackie—Fables cart. (6½ m.) ..	Apr. 7
34505	Pathe Review No. 5 (10 min.) ..	Apr. 14
34209	Puzzle Pals—Tom & Jerry cart. (7½ m.) ..	Apr. 14
34117	Bubbles and Troubles—Fables cart. (6½m) ..	Apr. 21
34210	Hook Ladder and Hukom—Tom & Jerry cartoon (6½ min.) ..	Apr. 28
34118	A Dizzy Day—Fables cart. (7½ min.) ..	May 5
34306	Contrast in China—Vagabond No. 6 ..	May 12
34119	Barking Dog—Fables cartoon ..	May 19

## RKO—Two Reels

33403	Loops My Dear—Sweet No. 3 (17 m.) ..	Jan. 6
33103	Through Thin and Thicket or Who's Zoo in Africa—Masquers No. 3 (17½ min.) ..	Jan. 20
33602	Private Wives—Headliner No. 2 (20½m) ..	Jan. 27
33505	The Vagabond—Chaplin No. 5 (21 min.) ..	Feb. 3
33703	Mickey's Ape Man—McGuire No. 3 (17½m.) ..	Feb. 10
33304	Art in the Raw—Kennedy comedy (19m) ..	Feb. 24
33204	Hokus Fokus—Clark and McCullough No. 4 (19½ min.) ..	Mar. 3
33404	Heave Two—Sweet No. 4 (20 min.) ..	Mar. 10
33506	Pawnshop—Chaplin No. 6 (21½ min.) ..	Mar. 17
33603	Hip Zip Hooray—Headliner No. 3 (18) ..	Mar. 31
33104	Lost In Limelight or Lady Esmeralda's Predicament—Masquers No. 4 (20½ m) ..	Apr. 7
33704	Mickey's Race—McGuire No. 4 (17½m) ..	Apr. 14
33305	Merchant of Menace—Kennedy com. 19½ ..	Apr. 21
33205	Druggists' Dilemma—Clark & McCullough No. 5 (17 min.) ..	May 5
33405	Thrown Out of Joint—Sweet No. 5 (20½) ..	May 12
33105	The Moonshiner's Daughter—Masquers No. 5 (19½ min.) ..	May 19
33604	She Outdone Him—Headliner No. 4 ..	May 26
33705	Mickey's Big Broadcast—McGuire No. 5 (19 min.) ..	June 9
33306	Good House Wrecking—Kenn. com. (20m) ..	June 16
33206	The Gay Nighties—Clark & McCullough No. 6 (20 min.) ..	June 23
33406	Shakespeare with Tin Ears—Sweet No. 6 (18 min.) ..	June 30

## United Artists—One Reel

6	Babes in the Wood—S. Symphony (cart.) (8m) ..	Nov. 4
6	The Klondike Kid—M. Mouse (cart) (7m) ..	Nov. 18
7	Santa's Work Shop—S. Symph. (cart) (7m) ..	Dec. 2
8	Birds in the Spring—S. Symph. (cart) (7m) ..	Dec. 3
7	Mickey's Good Deed—M. Mouse (cart) (8m) ..	Dec. 9
8	Building a Building—M. Mouse (cart) (7 m.) ..	Dec. 30
9	The Mad Doctor—M. Mouse (cart) (6 m.) ..	Jan. 20
10	Mickey's Pal Pluto—M. Mouse (cart) (7½m) ..	Feb. 10
11	The Mellerdrammer—M. Mouse (cart) (8 m.) ..	Mar. 3
12	Ye Olden Days—M. Mouse (cart) (8 m.) ..	Mar. 24
13	The Mail Pilot—M. Mouse (cartoon) ..	Apr. 14
9	Father Noah's Ark—S. Symphony (cart) (8m) ..	Apr. 23
14	Mickey's Mechanical Man—M. Mouse (cart) ..	May 5

## Universal—One Reel

A5205	Strange As It Seems No. 26 (8½m) ..	Jan. 23
A5405	Oswald, The Plumber—Oswald cart. (7m) ..	Jan. 30
A5307	The Terrible Troubador—Pooch c. (8m) ..	Feb. 13
A5406	The Shreik—Oswald cartoon (7 min.) ..	Feb. 27
A5308	The Lumber Champ—Pooch cart. (8½m.) ..	Mar. 13
A5408	The Voice of the Vatican—Spec. (9m) ..	Mar. 13
A5206	Strange As It Seems No. 27 (8 min.) ..	Mar. 20
A5407	Going to Blazes—Oswald cart. (7½ m.) ..	Apr. 10
A4059	Your Technocracy & Mine—Spec. (9½m) ..	Apr. 15
A5207	Strange As It Seems No. 28 (8½ m.) ..	Apr. 17
A5408	Ocean Hop—Oswald (reissue) (6 min.) ..	Apr. 24
A5309	Hot and Cold (S. O. S. Icele)—Pooch cartoon (6½ min.) (reset) ..	May 8
A5208	Strange As It Seems No. 29 ..	May 15
A5409	(5408) Beau Best—Oswald cart. (reset) ..	May 22
A5310	Nature's Workshop—Pooch cartoon ..	June 5
A5209	Strange As It Seems No. 30 ..	June 12

## Universal—Two Reels

A5950	Radio Murder Mystery—Radio Reel (20m) ..	Mar. 6
A5115	Alias the Professor—Gleason com. (21m) ..	Mar. 8
A5903	Ambuscade—Clancy No. 3 (19½ min.) ..	Mar. 13
A5904	The Storm—Clancy No. 4 (17 min.) ..	Mar. 20
A5116	The Trial of Vince Barnett—com. 20½ ..	Mar. 22
A5905	A Desperate Chance—Clancy No. 5 (19½) ..	Mar. 27
A5906	The Wolf's Fangs—Clancy No. 6 (17m) ..	Apr. 3
A5117	Pick Me Up—Prevost comedy (19 min.) ..	Apr. 5
A5907	The Night Attack—Clancy No. 7 (19 min.) ..	Apr. 10
A5908	Crashing Timbers—Clancy No. 8 (16½ m) ..	Apr. 17
A5934	My Pal the Prince—Morton Downey (20½ min.) ..	Apr. 17
A5118	Room Mates—Albertson comedy (19½ m.) ..	Apr. 19
A5909	Fingerprints—Clancy No. 9 (19 min.) ..	Apr. 24
A5910	The Breed Strikes—Clancy No. 10 (19½m) ..	May 1
A5911	The Crimson Jacket—Clancy No. 11 (20½ min.) ..	May 8
A5119	Mister Mugg—Gleason com. (21 min.) ..	May 10
A5912	The Journey's End—Clancy No. 12 (20 m.) ..	May 15
A5939	Beauty on Broadway—Winchell Radio ..	May 15
A6001	The Great Air Meet—Phantom of the Air No. 1 (20½ min.) ..	May 22
A6002	The Secret of the Desert—Phantom No. 2 ..	May 29
A5120	A Quiet Night—Roach com. (20½ m.) ..	May 31
A6003	The Avenging Phantom—Phantom No. 3 ..	June 5
A6004	The Battle in the Clouds—Phantom No. 4 ..	June 12

## Vitaphone—One Reel

6505	Moose and Elk Hunting—Sport (8 min.) ..	Jan. 21
6911	Rambling Around Radio Row No. 3 (9m) ..	Jan. 28
6806	One Step Ahead of My Shadow—Merrie Melodies (7 min.) ..	Feb. 4
6912	A Whale of a Yarn—Pepper Pot (8 min.) ..	Feb. 11
6706	Bosko in Person—Looney Tunes (7 min.) ..	Feb. 11
6506	Fishing Thrills—Sport Thrills (9 min.) ..	Feb. 18
6608	Beauty Spots of the World—World adv. (10 min.) (reset) ..	Feb. 18
7007	Abe Lyman and Band—Melody Mast. 10m ..	Feb. 18
6913	Africa Speaks English—Pepper Pot (10m) ..	Feb. 25
6807	Young and Healthy—Merrie Mel. (7 min.) ..	Mar. 4
6914	Rambling Around Radio Row No. 4 (10 m.) ..	Mar. 11
6707	(6607) Bosko the Speed King—L. Tune (7m) ..	Mar. 11
7008	How's Tricks—Melody Master (10 min.) ..	Mar. 18
6612	Strange Ceremonies of the World—Newman Adventures (10 min.) ..	Mar. 18
6915	Sea Devils—Shark Fishing—F. McHugh (8m) ..	Mar. 25
6918	Little White Lies—Liars Club (9 min.) ..	Apr. 1
6919	Inklings—Novelty (9 min.) ..	Apr. 8
6808	The Organ Grinder—Merrie Mel. (7 m.) ..	Apr. 8
7009	That's the Spirit—Musical (9 min.) ..	Apr. 15
6917	Rambling Around Radio Row No. 5 (10 min.) (re) ..	Apr. 15
6607	Main Streets of the World—Adv. (10 m.) ..	Apr. 15
6708	Bosko's Nightmare—L. Tunes (7 m.) (re) ..	Apr. 22
6916	Parades of Yesterday—Old Favorites (10 min.) (reset) ..	Apr. 22
6609	Workers of the World—Newman adv. (10m) ..	May 6
6809	Wake Up the Gypsy in Me—Mer. Mel. (7m) ..	May 13
7010	Alma Martyr—Musical (9 min.) ..	May 13
6920	You're Killing Me—Crook melodrama (9 m) ..	May 20
7301	Hands and Grip—Bobby Jones (9 min.) ..	May 27
6922	Rambling Around Radio Row No. 6 (9 m) ..	May 27

## Vitaphone—Two Reels

7206	The Run Around—Demarest com. (17m) ..	Dec. 10
7109	Poor Little Rich Boy (Bad Boy)—Phil Baker—Bway. Brevities (18 min.) ..	Dec. 31
7110	Hey Hey Westerner—Bway. Brev. (17) (re) ..	Dec. 31
7207	Trouble Indemnity—Big "V" com. (17m) ..	Jan. 7
7112	Bygones—Broadway Brevities (18 min.) ..	Jan. 14
7208	The Build Up—Jack Haley com. (17 min.) ..	Jan. 21
7115	Speaking of Operations—Bway. Brev. (18) ..	Jan. 28
7209	Buzzing Around—Big "V" com. ..	Feb. 4
7113	Pleasure Island—Bway. Brev. (18 min.) ..	Feb. 25
7210	Wrongorilla—Big "V" comedy (20 min.) ..	Mar. 4
7114	Yours Sincerely—Bway. Brev. (19 min.) ..	Mar. 11
7117	Nothing Ever Happens—Bway. Brev. (18 m.) ..	Mar. 25
7116	Northern Exposure—Bway. Brev. (16 m.) ..	Apr. 8
7119	Way of All Freshmen—Musical (19 min.) ..	Apr. 22
7212	An Idle Roomer—Jack Haley com. (19 m.) ..	Apr. 29
7120	(6120) Along Came Ruth—Ruth Etting (19m) ..	May 6
7121	Fifi—Musical with comedy (19m) (re) ..	May 20

(7211 Fatty Arbuckle—Big "V" comedy listed as a March 18 release in the last Index has been withdrawn. 7010 Alma Martyr listed as a May 13 two-reeler release in the last Index is a one reel subject and is now so listed.)

## NEWSWEEKLY NEW YORK RELEASE DATES

### Universal News

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143	Wednesday ..	May 10
144	Saturday ..	May 13
145	Wednesday ..	May 17
146	Saturday ..	May 20
147	Wednesday ..	May 24
148	Saturday ..	May 27
149	Wednesday ..	May 31
150	Saturday ..	June 3
151	Wednesday ..	June 7
152	Saturday ..	June 10
153	Wednesday ..	June 14
154	Saturday ..	June 17
155	Wednesday ..	June 21
156	Saturday ..	June 24

### Pathe News

35141	Sat. (O.) ..	May 6
35241	Wed. (E.) ..	May 10
35142	Sat. (O.) ..	May 13
35242	Wed. (E.) ..	May 17
35143	Sat. (O.) ..	May 20
35243	Wed. (E.) ..	May 24
35144	Sat. (O.) ..	May 27
35244	Wed. (E.) ..	May 31
35145	Sat. (O.) ..	June 3
35245	Wed. (E.) ..	June 7
35146	Sat. (O.) ..	June 10
35246	Wed. (E.) ..	June 14
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35247	Wed. (E.) ..	June 21
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73	Wednesday ..	May 31
74	Saturday ..	June 3
75	Wednesday ..	June 7
76	Saturday ..	June 10
77	Wednesday ..	June 14
78	Saturday ..	June 17
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### Paramount News

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84	Wednesday ..	May 24
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87	Saturday ..	June 3
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90	Wednesday ..	June 14
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### Metrotone News

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272	Saturday ..	June 3
273	Wednesday ..	June 7
274	Saturday ..	June 10
275	Wednesday ..	June 14
276	Saturday ..	June 17
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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, MAY 27, 1933

No. 21

## Will Hays' Misleading Assertions About Block-Booking—No. 4

In last week's article, the third of this series, I discussed the failure of several sex pictures, costing anywhere from \$400,000 to \$1,000,000, proving to you conclusively that a sex theme alone is not sufficient inducement to draw patrons to the box offices, thus offsetting the subtle propaganda of Will H. Hays and of the members of his organization that, since clean pictures will not attract people to the theatres, it is necessary to produce dirty pictures. I offset also the Hays insinuations that the outcry against block-booking is prompted by the desire of exhibitors to justify their playing dirty pictures, or by the efforts of "agitators," employed by these exhibitors, to make them believe that, if block-booking were eliminated, they could buy retail pictures at wholesale prices.

The second half of Paragraph 5, of the Hays editorial in the March Special bulletin, which is the object of the discussion in this series of articles, states the following:

"The consistent cancellation of socially valuable pictures by exhibitors refutes the argument that legislation outlawing block-booking is a panacea (cure-all) for picture ills. Every exhibitor arranges for the exhibition of pictures which he thinks will bring the greatest box office returns in proportion to their costs. As it was stated in the Report of the Department of Research and Education, Federal Council of Churches of Christ in America: 'Whatever regulative measures may be desirable, there is no substitute for a more refined demand at the box office window.'"

Once more I find myself unable to answer Hays effectively, by reason of the fact that he again deals in generalities. For instance, he says, "The consistent cancellation of socially valuable pictures by exhibitors refutes the argument that legislation outlawing block-booking is a panacea for picture ills." If he refers to the sixteen pictures he pointed out in his editorial to prove public taste at fault, the answer given in the second article of this series is so complete that no further proof is necessary. If he had other pictures in mind, I am unable to refute his assertions because he does not state which pictures he is referring to. If I had the names of them, I would be able to discuss them. But Hays, as a clever politician, schooled in the art of evasion, makes it a practice to make vague, indefinite statements, fully knowing that most presidents of local or state women's clubs will not bother their heads about asking him to name the pictures.

As to his section assertion, it is natural for an exhibitor, like any business man, to buy the articles he thinks he can sell the easiest. But this does not mean that he always succeeds; the average exhibitor uses anywhere from one hundred and four to one hundred and fifty-six pictures a year. Since there are not fifty meritorious pictures made a year under the system of incompetence, warped-mindedness and graft now prevailing, even such exhibitors as are not hemmed in by producer or other competitive theatres are unable to arrange for a decent program even if they could buy all the products and select the best for showing, shelving the remainder. But since very few exhibitors are in so fortunate a position, Hays' assertion that each exhibitor contracts for such pictures as will, in his opinion, bring him the highest box office results is misleading.

In reference to the Church body's statement, which he uses to prove that not a law outlawing block-booking but a refined demand at the box-office window, will bring about a betterment of the moral quality of pictures, allow me to say that a refined demand at the box office by the public is not alone sufficient to bring about the results a law will. There has been such a demand right along. The fact that pictures such as "An American Tragedy," "Skyscraper Souls," "Rain," "Rasputin" and others of this kind have failed at the box office indicates conclusively that there is a refined demand at the box office; yet this has not stopped the production of dirty pictures, as "The Story of Temple Drake" definitely proves. The fact that on March 27, this year,

Will H. Hays had found it necessary, after the operation of his morality code for three full years, to issue threats to the producers about appealing to the public unless they, who pay him his salary, stop putting dirt into pictures, proves conclusively that nothing but a law will bring about a betterment of the moral tone of the moving pictures. Censorship will not do it—Colonel Joy's secret report, referred to frequently in these columns, indicates that Will H. Hays is always successful in passing the dirtiest pictures in most censorship states; a Federal Commission will not do it, for it will open up opportunity for graft. But a law will!

Paragraph 6 of the Hays editorial reads as follows:

"A new sales contract worked out after its proposal by the Motion Picture Theatre Owners of America and now available to exhibitors in dealing with most of the major companies, eliminates block-booking as a possible obstacle to the choice of socially valuable pictures by an exhibitor. This contract permits a cancellation of 15% of the motion pictures bought in wholesale lots, or blocks. Since 86% of the 1932 product was endorsed by one or more of the nationally socially minded groups previewing pictures in Hollywood, and since an exhibitor may now cancel 15% of product block booked, your theatre owner need not play a single unendorsed film, even if he buys his pictures in complete blocks. This statement assumes, of course, the maintenance of the present level of quality."

The Hays statements in this paragraph remind me of the assertion often made that a good lawyer can defend the wrong side just as efficiently as he can the right side. This is true, of course, only if the jury lacks the necessary facts that will guide them. These statements of his might sound impressive to officers and members of civic, religious, or fraternal organizations that are not in a position to know whether the facts he presents are genuine of specious. But not to others. Let us examine them:

The elimination of fifteen per cent of the total number of pictures an exhibitor buys in blocks, is not an elimination of block-booking, as Will Hays asserts, even if the elimination were fifteen per cent. But is there such an elimination? Let us find out:

Reading in this paragraph the statement that under the new contract an exhibitor is given the right to eliminate fifteen per cent of his pictures you are lead to believe, I am sure, that he can eliminate them without paying for them. If such is the conception you have formed, you have formed the wrong conception, as I shall proceed to prove to you. The contract provides that an exhibitor may cancel the first five per cent without paying for them; the second five per cent by paying fifty per cent of the rental price; and the third five per cent by paying the full price, reserving the right to extend the playing time of some of the meritorious pictures to make up the money the exhibitor paid for this, the third five per cent group. In other words, an exhibitor is given the right, under the new contract, to cancel outright only five per cent of the total number of pictures without paying for them.

Let me now call your attention to the fact that the cancellation of the first five per cent without payment is not without conditions, or "strings," if one were to use a colloquial expression: the exhibitor must pay the full price of this group, and the distributor will refund the money to him after three months. In order for you to find out how much of a chance the exhibitor has in all cases to get his money back from the distributor, ask your local exhibitor to tell you of his experiences about twelve years ago, when the deposit system was in vogue: millions of dollars of exhibitor money was swallowed up. The scandal was so great that the New York State exhibitors decided to remedy it by law; they succeeded in putting through the legislature a law making it obligatory on the part of the distributor to

(Continued on last page)



### **"Hold Me Tight" with Sally Eilers and James Dunn**

(Fox, May 26; running time, 70 min.)

Ordinary entertainment. The story is slow. It is in the closing scenes where there are some exciting moments; they are caused by the villain's plans to implicate the hero in a robbery. The fight between the hero and the villain is thrilling. Parts of the picture are depressing; such as, for instance, the continual harping on the fact that it is difficult to find employment; also the fact that one of the characters takes poison because she finds she is going to have a baby. This would force her to leave her position, and her husband was out of work:—

The hero and the heroine, both employed in the same department store, decide to marry. The villain, desiring the heroine, brings about the hero's dismissal. The heroine learns of this but does not tell the hero because she did not want to spoil their marriage which was to take place that night. After they are married he naturally learns about it and as much as he dislikes it the heroine continues with her position. He looks for employment, but to no avail, and so he takes care of the house. The heroine's girl friend is married to a shiftless man who does not work and she works with the heroine in the store. When she realizes she is to have a baby and must give up her position she takes poison and the heroine rushes her to a hospital. This makes the hero realize how dangerous it is for him to be out of work and he leaves the heroine until he can find a position. The villain plans to implicate the hero in a robbery by employing him for some extra work through a third party. But the hero becomes suspicious and enters the store just in time to stop the robbery. He beats up the villain and turns him over to the police. He is rewarded for this by being made head of the shipping department in the store, and he and the heroine are reconciled.

The plot was adapted from the story by Gertrude Rigdon. It was directed by David Butler. In the cast are Frank McHugh, June Clyde, Kenneth Thomson, Noel Francis, Dorothy Peterson and Clay Clement.

Because of the dirty remarks, it is not suitable for children, adolescents, and for Sundays.

Substitution Facts: This is replacing No. 14 listed on the contract as "Checkers," from the play by Henry M. Blossom. It is a story substitution.

### **"Trailing North" with Bob Steele**

(Mouogram, Jan. 30; running time, 57 min.)

A fairly good Western; the snow country background affords some excellent outdoor shots. Although the story is not unusual, it has fast action and holds the audience in suspense throughout. Human interest is injected into the story because of the hero's conflict between duty and love for his brother:—

The hero, a Ranger, is out to get the man who killed his friend, also a Ranger. He tracks the man and his sweetheart, the heroine, down, and pretending to be an outlaw, joins up with them and wins their confidence and the heroine's love. He induces them to start out with him for new country, his intention being to take them back. The man meets with an accident and while the hero is treating him he finds a cross with the man's name on it and he realizes he is his brother. The hero is torn between duty and love for his brother and the heroine, but he decides to go on with his duties. He starts out with them again, this time telling them the truth, and they are set upon by the villain who desired the heroine. The brother saves the hero's life but is killed in doing so. The hero shoots the villain, who confesses he had committed the murder and not the brother. The hero and the heroine are united, and she is exonerated of blame.

The plot was adapted from a story by Harry O. Jones and John Morgan. It was directed by J. P. McCarthy. In the cast are Doris Hill, Arthur Rankin, George Hayes, Fred Burns, and others.

Suitable for children and for adolescents; also for Sundays where Westerns are shown.

### **"Night of Terror" with Bela Lugosi and Sally Blane**

(Columbia, April 24; running time, 65 min.)

An unpleasant horror melodrama. It is spooky enough for followers of that type of entertainment, and holds the audience in suspense since the identity of the murderer is not made known until the very end. But because of the many murders and the injection into the plot of a madman whose appearance and maniacal murders are horrible, even

morbid spectators will be sickened. In addition, the plot is illogical and even amateurish. The usual smart-aleck newspaper reporter and dumb police inspector are used, but they fail to arouse any laughs because of the silly way in which they are presented:—

A maniac is at large killing people but police are unable to track him down. Killings had been committed near the home of a professor where the heroine, his adopted daughter, lives with him. Then the professor is murdered and the case is put down as another maniac killing because a strip of newspaper with a headline of maniac killings is pinned to the body, an act which the maniac was fond of doing. And soon the professor's brother, who had come to the house to hear the reading of the will, is killed. The hero, a newspaper reporter, in love with the heroine, refuses to believe she is going to marry her cousin. A Hindu servant and his wife, both employed in the professor's home, are suspected but the heroine claims they are innocent. The cousin calls together a group of scientists to prove to them that he had found a restorative for people who had been entombed and he permits them to bury him alive in a grave. The Hindu woman goes into a trance and is about to reveal the name of the professor's murderer when she herself is stabbed to death. Eventually the husband of this woman reveals that the cousin is the murderer of the professor, his brother, and the Hindu woman; that he had escaped from the coffin by means of a trap door, which explained why, when the grave was opened, he was not in the coffin. The maniac killer is caught and shot by the hero when he attempts to abduct the heroine.

The plot was adapted from a story by Willard Mack. It was directed by Benjamin Stoloff. In the cast are Wallace Ford, George Meeker, Tully Marshall, Bryant Washburn, and others.

Because of the horror atmosphere, it is unsuitable for children, adolescents, or for Sundays.

### **"Peg O' My Heart" with Marion Davies**

(MGM, May 26; running time, 86½ min.)

The excellent performance by Marion Davies, coupled with the sentimental appeal of the story, makes this good entertainment, even though there is nothing exciting about the plot. It has human interest, comedy, and pathos; also a wistful charm, which time has not changed. Deep sympathy is felt for Miss Davies when she is separated from her father. The scene in which they are shown parting will bring tears to the eyes, as will the situation in which she is told that her father is dead. The production end is excellent and has been modernized. Incidental sentimental Irish music, some of which is sung by Miss Davies, is pleasant and in keeping with the mood of the story:—

Marion Davies lives with her father in Ireland. They are poor and she helps him with the fishing. The father receives a visit from a lawyer; he is told that Marion's grandfather had died leaving her a fortune on condition that he never see her again. Wanting to give the girl a chance the father agrees, telling Marion that she must go to London, promising to follow. According to the terms of the will she is forced to live with a snobbish English family, who are to educate and train her. She is unhappy and it is only her love for the young lawyer that makes things bearable. Her dream is shattered when the lawyer announces his engagement to the guardian's daughter, for Marion knew the daughter was carrying on an affair with a married man. Marion's father arranges to sail for America. Before sailing, he forces the lawyer to tell Marion that he is dead. She is heartbroken, and cannot sleep that night. She hears an automobile horn and notices the daughter getting ready to leave. Marion rushes to her and the girl tells her she is leaving to join the married man. Marion forces her away from the car and rushes to the man's rooms to ask him to leave the girl alone. And then the girl arrives and starts to upbraid Marion when there is a knock on the door. The man's wife enters with two detectives and Marion, wanting to shield the girl for the sake of the lawyer, steps forward and assumes the blame. Her guardian is cold to her the next morning, but the lawyer refuses to believe anything bad about Marion. He tells her he had lied about her father and she rushes away from the house to join her father, thereby breaking the terms of the will. Her joy is complete when the lawyer joins her telling her he loves her.

The plot was adapted from the story by J. Hartley Manners. It was directed by Robert Z. Leonard. In the cast are Onslow Stevens, J. Farrell McDonald, Juliette Compton, Irene Browne, Tyrrell Davis, Alan Mowbray, and others.

It is doubtful if children will understand the affair between the girl and the married man; therefore, it should be suitable for children, adolescents and for Sundays.



**"Lucky Dog" with Chic Sale***(Universal, April 20; running time, 58½ min.)*

Good! It is the story of great devotion of a dog for his master, and the master's love for the dog. There is considerable human interest. By good direction the dog is placed in many amusing situations. The return of the master after an absence of several months because of incarceration is somewhat tenderly pathetic:—

The hero steals money from his firm so as to give his wife the luxuries she wanted. When he is arrested, she deserts him. The only friend that stands by him is his faithful dog. The dog is disconsolate during the absence of his master and seeks him everywhere. He meets a cur and establishes a friendship with him. The cur takes him to the home of his masters, a big Italian family. But since there is not enough food for the family he is chased away. The hero is paroled and seeks his faithful companion everywhere. Being without any funds, he becomes so hungry that he decides to steal food. The butcher chases him, and he takes refuge in an old house. The dog, out in search of food, picks up the scent of his master and locates him. The hero thinks that the barking dog outside is of the butcher and, picking up a monkey wrench, slowly opens the door and, when the dog enters, hits him on the head. When he discovers his error he is disconsolate, and takes the dog to a veterinary surgeon. The hero obtains a job on a farm and is happy with his faithful companion.

The story and the direction is by Zion Myers. In the cast are: Chic Sale, Tom O'Brien, Harry Holman, Frank Beal and others.

Suitable for children, adolescents, and for Sunday showing.

**"Sunset Pass" with Randolph Scott, Tom Keene, Harry Carey, Kathleen Burke and Noah Beery***(Paramount, May 26; running time, 65 min.)*

A Western of more than the ordinary dramatic strength. There is something doing all the time. The plot is complex and the doings of the characters hold the spectator's interest pretty tense. The cattle stampede is extremely thrilling:

Keene, deputy of the Cattlemen's Association, arranges to be sentenced to the penitentiary for a hold-up so that, by being placed in the same cell with a cattle thief, he might get enough information out of him to enable him to detect and break up a band of clever cattle rustlers. After getting what information he wanted from his cellmate he arranges for an escape and goes to the place where the gang operated. He succeeds in befriending Scott, a member of the gang. Keene meets Kathleen, Scott's sister, and falls in love with her. Keene meets Carey, the brains of the gang, and, by mentioning his "ex-cellmate," he is able to win Carey's confidence. Keene is ordered to cooperate with the gang in their attempt to drive a wealthy man's cattle to Sunset Pass by firing the grass in the field. After the grass is set fire to, Keene escapes from them, goes to the wealthy man and informs him of the cattle rustlers' plans. Keene suggests to the cattleman to stampede the cattle in the direction of the cattle rustlers. The cattleman agrees and the cattle is stampeded. The cattle rustlers, taken by surprise, are dispersed, some of them being caught, and some killed. Keene tries to save Scott for the sake of his sister but shoots and wounds him mortally when Scott refuses to obey him. Kathleen at first is furious at Keene but when she realizes that he was right she repents; she confesses her love for him.

The story is by Zane Grey; the direction by Henry Hathaway.

Good for children, adolescents and for Sunday showing if you are in the habit of booking Westerns for such purpose.

**"Life of Jimmy Dolan" with Douglas Fairbanks, Jr., and Loretta Young***(Warner Bros., June 3; running time, 87 min.)*

Fair entertainment. The story is rather routine. The first half is unpleasant for it shows the hero as being continually drunk and dissolute; he even kills a man. Although this murder was unintentional, since the hero was intoxicated, it is an ugly thing to see. It is in the second half that one begins to feel some sympathy for him, for he regrets his former life. Human interest is aroused because of the love the heroine feels for the hero. The closing scenes are fairly exciting, particularly to boxing fans, for the hero suffers a terrific beating for a good cause—he wanted to win the bout so as to help the heroine and her aunt:—

The hero, a prize-fighter with a good reputation, and his mistress drink themselves to stupefaction when he wins one of his fights. Some friends call at his mistress's apartment for a good time. Among them is a newspaper reporter. When the reporter finds out that the "talk to mother" the hero was giving after each fight was a fake, done to win public good will, he informs him that he will have a story about it in his paper. The hero tells the reporter with a blow and kills him. The hero's manager and the mistress take the hero away to his training quarters and after taking his money and jewels, leave him there alone. Their car is smashed and they are both killed. The manager is identified as the hero because of the wrist-watch and the wallet he had taken from the hero. When the hero sobers up and realizes what had happened he runs away. He comes to a farm run by the heroine and her aunt for poor sick children and because of his weak state they care for him. He remains with them and he and the heroine fall in love. The farm is about to be foreclosed and the hero enters a bout against a tough fighter, the offer being \$500 for each round he could stand up. In the meantime a picture of the hero which had been taken by one of the children and entered in a contest is printed and recognized by a New York detective. He goes to the farm and arrests the hero after a bout, but because he realizes that the hero had changed for the better, releases him and tells him never to have his picture published in a paper again.

The plot was adapted from a story by Bertram Milhauser and Beulah M. Dix. It was directed by Archie Mayo. In the cast are Aline MacMahon, Guy Kibbee, Lyle Talbot, Fifi D'Orsay, Harold Huber, Farina, David Durand, and others.

Not suitable for children, adolescents, or for Sundays.

Note: According to our timing the running time is 87 minutes; according to the Warner Bros. release sheet the time is 89 minutes. I called the Home office to check the time and was told over the telephone that it is 72 minutes. Check up the time yourself!

**"Girl in 419" with James Dunn and Gloria Stuart***(Paramount, May 26; running time, 64 min.)*

A good melodrama in which the gangster element has been worked into it but not in a way to arouse any sympathy for the gangsters. But the picture is hurt by the demoralizing effect of the closing scenes in which a young doctor deliberately poisons a gangster patient brought to the hospital because he was interfering with the love affair between the hero and the heroine. This is cold-blooded murder, causing the spectator to shudder; even though the gangster deserves punishment, it is taking the law into one's hands. The audience is held in fair suspense throughout, first by the mystery of the heroine's brutal beating, and then the danger to the heroine because of her friendship with a gangster. The situation in which one of the gangsters attempts to force his way into the heroine's room with the purpose of killing her holds one breathless:—

The hero is the head doctor of an emergency hospital. The heroine is brought into the hospital, dying from a brutal beating. She is so beautiful that he falls in love with her. He watches over her day and night and she regains consciousness. She begins to recuperate and although she, too, loves the hero, she refuses to tell him anything about herself. A certain gangster visits the heroine and the hero realizes that she is connected with that man in some way. He issues orders not to permit anyone to go into her room and when another gangster attempts to enter he is stopped by a young interne. He shoots the interne in the arm, injuring the ligaments and crushing his hopes of ever becoming a surgeon. Then the heroine tells the hero all—that she had been intimate with the gangster, and that she had seen him killing a man, at which act she had revolted. The gangster wanted to kill her in order to prevent her from squealing. The dead man's gang was after this gangster; pretending that he had accidentally poisoned himself, he is taken to the emergency hospital, for there he would be safe. Once in the hospital he tells the hero he was not poisoned and asks for a drink. The interne with the injured arm gives him the drink, but puts poison in it. The gangster dies. This frees the heroine of her fears, and she and the hero are united.

The plot was adapted from a story by Jules Furthman. It was directed by George Somnes and Alexander Hall. In the cast are David Manners, William Harrigan, Shirley Grey, Johnny Hines, Lack LaRue, Vince Barnett, and others.



segregate the deposits, and not to use them for any other purpose than that intended—to protect the distributor in case of default on the part of the exhibitor, the default naturally to be determined by the courts, or by an arbitration board, in case there was an arbitration clause in the contract. This provision in the contract will have the tendency of bringing back the same abuses (except in the State of New York, where the exhibitors are protected, as said, by the deposit law.) The average exhibitor does not employ bookkeepers; he does his own bookkeeping. Imagine what will happen when this contract goes (it has not yet gone) into effect! With most companies on the verge of bankruptcy, and with the disorganization that exists in the branch offices of most companies, the chances of getting back deposits will be made so difficult for an exhibitor that he will eventually find himself in a position where he will be glad to play any dirty picture rather than cancel it and then have the time of his life getting his money back.

Let us now discuss the fate of the second five per cent group: At the Trade Practice Conference, held under the auspices of the Federal Trade Commission in October, 1927, a resolution was passed unanimously to insert a clause in the 1928-29 contracts giving the exhibitor the right to cancel ten per cent of the total number of pictures he had purchased on each group, upon payment of fifty per cent of the rental price. The number of exhibitors that took advantage of this clause was very small, indeed, for this reason: The branch manager of the distributor whose pictures an exhibitor bought would, in order to make a showing and thus put himself in line for a promotion, prevail upon the exhibitor, by a promise of "favored treatment" when he went to buy the new season's product, not to avail himself of his right to cancel these pictures. In some instances even threats were uttered. And the exhibitor had to forego his right to cancel his privileged number, for he knew what would happen to him if he went contrary to the branch manager's wishes. In an industry where competition is confined among, not the sellers, but the buyers, the buyer cannot assume an independent attitude. There is scarcity of product; there isn't enough to go around, and an exhibitor is always at the mercy of the distributor. If the exhibitor dared assert his human rights, he would put his investment into jeopardy, for in some instances the distributor representative, in order to get "even" with the recalcitrant exhibitor, would sell his pictures to a competitor even at a smaller price. Not one but hundreds of cases can be obtained where such was the action branch managers took.

As to the third group of five per cent, all I can say is that the number of pictures that can stand the extension of playing time is so small that the exhibitor will find it difficult to apply the cost of the pictures of this group. When such special productions as "Rasputin," "Strange Interlude," and the like, each which cost nearly one million dollars, fail to attract the regular number of patrons that usually attend special productions, you will realize what a time the exhibitor will have to find meritorious pictures to apply this money on. The result will be that, since he will be unable to take advantage of such a privilege, and since to pay for pictures and not to play them will bankrupt him, he will be compelled to play this group, no matter how objectionable most pictures in it may be.

But suppose the exhibitor could cancel fifteen per cent of his pictures even without paying for them; will this keep dirty pictures out? Let us see:

In the issue of February 25 I printed a study of the pictures that were released in January by the members of the Hays organization; I found that, out of twenty-five regular pictures released, twenty-one were either founded on sex or had sex talk in them, two were "sex-less" but were too horrible, and two were sex-free, although one of these ("Obey the Law") had other demoralizing features. In other words, only one, "The Outsider," was clean.

Let us examine the releases of February to see what will be disclosed: The regular pictures released during February were twenty-eight, as follows: (The ones marked "S" were suitable for family audiences; those marked "U" were unsuitable, and those marked "?" were questionable): "Child of Manhattan" (U), "State Trooper" (S), "So This Is Africa" (U), "Employees' Entrance" (U), "Blondie Johnson" (U), "Infernal Machine" (U), "Dangerously Yours" (U), "State Fair" (S—with the exception of the bedroom scene), "Broadway Bad" (U), "The Secret of Madame Blane" (U), "What, No Beer?" (S), "Men Must Fight" (S), "Clear All Wires" (U), "Luxury Liner" (U), "Sign of the Cross" (?), "Woman Accused" (U), "Hello Everybody" (S), "The Crime of the Century" (U), "From Hell to Heaven" (U), "Lucky Devils" (S), "Sailor Be Good" (U), "Topaze" (?), "Hallelujah, I Am a Bum" (S), "Rome Express" (?), "Private Jones"

(U), "Ladies They Talk About" (U), "Wax Museum" (U), "King's Vacation" (S).

Notice that, out of the twenty-eight, seventeen are unsuitable for the family, three questionable, and only seven suitable—or approximately twenty-nine per cent. With so few family pictures produced, how far will a fifteen per cent elimination go?

*(Ta the Exhibitors: The last article of this series may appear next week. When I started it I thought that I would be able to cover the subject in no more than two articles. But my desire to refute every argument made in the Hays Special March Bulletin, giving you an opportunity to use this series of articles to offset any future propaganda from the well financed and efficient publicity bureau of the Hays organization, I decided to extend the discussion to as many articles as will be required to cover the subject thoroughly.)*

## CONCERTED CATHOLIC MOVEMENT AGAINST "DIRTY" PICTURES

When I came to my office Monday morning I was ready to send editorial copy to the compositor when my eye happened to fall on an article in the New York *Herald Tribune* stating that Alfred J. Talley, former judge of General Sessions, and a Knight of St. Gregory, said partly the following about moving pictures at the parade of the Holy Name Society, held on the grounds of Fordham University:

"The present cinema is the most serious single menace to the safety, security and very existence of this republic that I know. . . . How many movies are there playing in the Bronx today that you could sit through without a twinge of conscience? . . . I have found that filth has become not the exception, but the rule in all motion picture houses. . . ."

The reading of this news item made me recall the action of the students of the St. Catherine's High School, at Racine, Wisconsin, who, on April 21, held an assembly and formulated the following petition, which they sent to the local theatres, as Mr. E. J. Simanek, of the Granada Theatre, informs me:

"The undersigned, students of St. Catherine's High School, are interested only in clean shows, and in clean advertising for shows. We ask you to note our preference and bring it to the attention of the producers." The petition was signed by five hundred students.

Now couple this with the attack on dirty pictures The Reverend Henry F. Hammer made last March at St. Patrick's Cathedral, in this city, and the numerous other attacks by Catholic clergymen and publications, and you will realize at once that there is a concerted movement among the Catholic people against all moving pictures. The impression these facts should make on you should be the greatest, for heretofore the Catholic Church had been very tolerant towards pictures, but they must have lost patience with the unkept promises for reform made by the producers and Will Hays and have decided to take the bull by the horns. What the effect of such a movement on the box offices of the theatres will be is hardly necessary for me to say. I may add that, not only the Catholic, but the protestant churches and every decent American citizen, whether a member of a church or not, has lost patience. You may now expect stringent regulations on the part of the Federal Government, and still more stringent on the part of state governments.

I saw the speed with which the moving picture producers were headed for the precipice for years, and although I have exerted every ounce of my energy to stop them I was unable to do so. The ultimate fate of the industry is one of complete ruin, unless the heads of the industry come to their senses and do something. The one man who could do something is Will H. Hays, but he has exerted all his energies into either removing or quieting down opposition through his well financed Public Relations Department. In his efforts to do so he has made misleading statements, has subsidized representatives of theatre owners, and even of churches, causing a great scandal when the facts became known several years ago. Only last March he uttered threats to the members of his organization that he would appeal to the public unless they discontinued the practice of putting filth in pictures, and not five weeks later he allowed to be shown one of the filthiest pictures ever produced—"The Story of Temple Drake."

You should refrain from showing "Temple Drake," thus proving to the American people that, contrary to the intense propaganda emanating from the Hays office, you are not responsible for the showing of filthy pictures. Call on every minister, priest, and rabbi in your community to help you keep this picture out of your city. Save the industry even if the warped minds of Hollywood are bent upon bringing about its destruction.



## HARRISON'S REPORTS

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## AN ANALYSIS OF THE 1932-33 FORECASTS

The work of the 1933-34 FORECASTER is about to begin and I felt that I should give an accounting to the FORECASTER subscribers and to the entire industry as to how accurate were the forecasts made of 1932-33 picture material. The impression has prevailed right along that it is very difficult to tell in advance what kind of picture certain story material will make, and a study of the results attained by the FORECASTER in its second year may help determine whether such an assertion is accurate or inaccurate.

Lest there be some readers who do not quite understand the function of HARRISON'S FORECASTER, let me say that it is to pass judgment on the book, play, or magazine story material announced for production in the beginning of a season.

In submitting a comparison of the results attained in the 1932-33 forecasts, two points of view must be had in mind; the exhibitor's and the producer's, for this reason: The exhibitor is not interested directly so much in the accuracy of the total number of forecasts of a particular company's material as he is of the forecasts of pictures he was offered for sale by that company, for it was such forecasts that were supposed to enable him to determine what that company's product was worth to him. For instance, the forecast for the Fox picture "State Fair" proved one hundred per cent accurate; but that did not help the exhibitor who sought to buy the Fox product in the beginning of the season, for "State Fair" was not included in the contract—it was produced and sold as a special long afterwards. But from the producer's point of view, the comparison must include this picture as it must all such pictures, for what he is interested in is the accuracy, not of the forecasts of the material of the contract pictures, but of all pictures produced in the entire season. For this reason I have made two analyses: one for the exhibitor, and one for the producer. These appear on the last page.

## Columbia

**SOLDIERS OF THE STORM:** The forecast said: "This is excellent melodramatic material and Columbia may be depended upon to make a very good picture out of it." The picture has turned out good: Accuracy: 85%.

**NIGHT CLUB LADY** (forecast as, "About the Murder of the Night Club Lady"): The forecast said: "The material is gruesome and unpleasant to sensitive natures, but very good for a horror murder mystery melodrama. . . . Columbia will, no doubt, make a few changes here and there to improve the plot. An exhibitor may, therefore, take it as a good bet for this type of entertainment." The picture has turned out just as described. Accuracy 100%.

**CHILD OF MANHATTAN:** The forecast said: "There is comedy in some of the situations, provoked by the heroine's ignorance and her bad manners. But it is not elevating comedy. As a matter of fact, an air of cheapness hung over the play. The situation that shows the child's death is heart-rending. . . . The material is not such as to make an outstanding picture with it. The best one can hope for is a pretty good program picture. The fact that it practically advocates living without the bonds of matrimony naturally makes it unsuitable for the family circle." The picture has turned out as predicted. Accuracy 100%.

**THE WOMAN I STOLE** (reviewed in Forecaster as "The Dictator"): The forecast said: "The story is too much business . . . is handicapped by the fact that the hero, although a he-man, is unsympathetic. There is also too much sex." In the finished picture, the locale was changed from Mexico to Morocco, North Africa, but the characterizations were left practically the same. The quality of it is ordinary. Accuracy 100%.

**WASHINGTON MERRY-GO-ROUND:** The forecast said: "The book is dull and the material unsuitable for a talking picture. Columbia has recognized this fact and has engaged Maxwell Anderson, one of the most renowned dramatists, to treat it with a view to making it suitable for a talking picture." In the finished picture, nothing of the book appears; a new story was written. Only

the title was retained. The fact that Columbia did not find any material in the book to use proves the judgment of the forecast correct. Accuracy (by inference) 100%.

**THE BITTER TEA OF GENERAL YEN:** The forecast said: "The material is excellent. There are many thrilling situations in it. . . . There is human interest, too, and sex, for those who are looking for it." The picture was produced well. Unfortunately, the Columbia production executives altered the characterizations, making the heroine, a white American girl, fall in love with a Chinaman, a brigand. Such a characterization is repulsive to the American people. For this reason the picture has made a box office failure, even though it holds the interest well, and the acting is fine. The error of the Columbia production executives does not alter the fact that the forecast was correct. But, despite the accuracy of judgment, the forecast is marked as inaccurate.

**NO MORE ORCHIDS:** The forecast said: "The action is not very pleasant, and with the exception of Holt none of the characters is sympathetic. . . . As it stands, it will not make a good picture." The picture has turned out just as forecast. Accuracy 100%.

## First National

**LIFE BEGINS:** The forecast said: "There is material in this play for a powerful talking picture. The question is whether the producer will handle the subject artistically. It is a delicate subject and requires a clean mind to handle it well. You have to use your own judgment." The picture has turned out powerful, well enough, and has drawn pretty good business, but many complaints have been heard against it on account of its having a woman die at childbirth. Since I do not wish to profit from a doubtful point, I am marking the forecast inaccurate.

**SILVER DOLLAR:** Inaccurate.

**THEY CALL IT SIN:** The forecast said: "Though the plot construction (of the book) is poor, the material itself is such as to make a good moving picture, provided intelligent alterations are made to it. . . . The closing scenes, which show Celestine going back to the convent, despondent for having lost everything that she held dear in life, can be made powerfully dramatic. . . ." In the finished product, Celestine's going back to the convent was eliminated. The picture turned out fair. Accuracy (conditional) 80%.

**THE CABIN IN THE COTTON:** The forecast said: "The material is not very strong. The hero is weak, even though not a weakling, for although he knows that book fixing is wrong he continues doing it and he does not take the side of the abused until he is turned down by Nordie (his employer's daughter whom he hoped to marry). At best 'Cabin in the Cotton' cannot make a big picture; and only a mediocre picture without alterations." The picture has turned out mediocre. Accuracy 100%.

**THE CRASH** (forecast as "Children of Pleasure"): The forecast said: "None of the characters is sympathetic. The heroine is spineless; when things go bad, she plans to leave her husband. . . . Her effort to win her friend's husband away from her is mean and contemptible. And so is her effort to make young Sanderson marry her. On the other hand, Graham (hero) is not a stronger character; he does not hesitate to resort to blackmail when he finds himself up against it. . . . As the material now stands, it cannot make a good picture." In the finished product, the characterizations were left as they were in the book. The picture did not, therefore, turn out good. Accuracy 100%.

**TWENTY THOUSAND YEARS IN SING SING:** The forecast said: "I don't see how the book will make an interesting picture. . . . It is really a subtle, though praiseworthy, propaganda against capital punishment." The picture turned out good, but the only thing taken from the book was the title. Since nothing of the story was used, it was an indirect admission on the part of the producers that the judgment of the forecast was correct. Accuracy (by inference) 100%.



**THE MATCH KING:** The forecast said: "It is too bad that Warner Bros. has wasted good money for such story material; it seems hopeless, for no one can make seekers of entertainment take an interest in the doings of a forger, thief and blackmailer. . . . It is my opinion that not even the acting of so accomplished an actor as Warren William can make it into an acceptable picture." The picture has turned out just as predicted. Accuracy 100%.

**FORTY-SECOND STREET:** "Before this material can be made into any kind of picture, it must be cleansed of the slime, and there must be radical alterations in plot and characterization. As it now stands, it can make a good entertainment for those who cannot be shocked by sex doings and by foul talk; but it is not for the families." The producers cleansed the material and made radical alterations in the characterizations. Accordingly the picture has turned out a good entertainment, with lively music, and with the characters active at all times. Warner Baxter's characterization is one of the finest seen in pictures; he, instead of paying attention to women, has his whole being concentrated on his work—that of putting over the show. Accuracy (conditional) 100%.

### Fox

**CONGORILLA:** The forecast said: "It is worth showing." The picture had quite a successful showing. A fair entertainment. Accuracy 100%.

**TRICK FOR TRICK:** The forecast said: "Pictures with the main characters as magicians have not proved successful in the past, and the material in this one does not seem such as would make an acceptable picture to the present-day picture-goers." The picture has turned out just as predicted. Accuracy 100%.

**HAT CHECK GIRL:** The forecast said: "As it stands, it (the material) is no good." Accuracy 80%.

**CALL HER SAVAGE:** the forecast said: "A more vile book could not have been printed. . . . The Fox salesman might tell you that the story is to be purified." In the picture, the material was purified somewhat and its quality remained poor. But the picture drew because it featured Clara Bow, who made her re-entry on the screen after a long absence. Yet I am marking the forecast as inaccurate.

**SECOND-HAND WIFE:** The forecaster pronounced it fair. The picture turned out fair. Accuracy 100%.

**STATE FAIR:** The forecaster said that the material was not so good but it felt that, since Fox assigned two of its best stars to appear in it, it would be altered. It further said: "With Will Rogers and Janet Gaynor in the cast, no exhibitor can afford to overlook the picture. . . ." The picture turned out very good and drew large numbers of people. Accuracy (conditional) 100%.

**CAVALCADE:** The forecaster said: "'Cavalcade' is a decidedly British patriotic play; it deals with things that are dear to the British people. . . . It is my opinion that 'Cavalcade,' if produced as the original, will draw every intelligent person in the United States, for the sentiment in it is universal—the sufferings of the British mothers are no different from the sufferings of the American mothers, or the millions of mothers of other nationalities. But I doubt if it will have a very great hold on the American masses." The results have so far justified those statements, for in the big cities, where the picture was given extensive exploitation, it drew large crowds, but in the interior it is "dying." Accuracy 100%.

### KBS Tiffany

**A STUDY IN SCARLET:** The forecast said: "There is nothing extraordinary about this material, which possesses the disadvantage of being two stories. . . . With proper construction of plot, however, . . . it may be made into a pretty good murder-mystery melodrama." The picture has turned out a pretty good murder-mystery melodrama. Accuracy 100%.

**UPTOWN NEW YORK** (Forecast as "Uptown Woman"): The forecast said: "Though the story has been written well, the material is somewhat thin. Yet with adequate alterations of plot a nice little picture can be made of it." "Uptown New York" turned out just as predicted—a nice picture. Accuracy 100%.

### Metro-Goldwyn-Mayer

**REUNION IN VIENNA:** the forecast said: "The first and third acts are slow; there is very little action—it is almost all talk. . . . The material is too suggestive for a good talking picture. And it is too slender. The best that can be hoped for, therefore, is a picture for the few." The picture has turned out just that. Accuracy 100%.

**THE OUTSIDER:** The forecast said that the picture had been produced in England, that it was founded on a play full of human interest, but that its drawing powers would be questionable in view of the fact that the leading players are unknown in America. The forecast proved correct. The picture did not draw. Accuracy 100%.

**SECRET OF MADAME BLANCHE** (forecast as "The Lady"): The forecast said: "Despite its (the play's) short life on the stage, the material in 'The Lady' is excellent for a talking picture. The mother's struggling to rear her boy, and her keeping pure so that he might not be ashamed of her when he grew up, are points of deep human appeal. . . . If properly handled, it could make one of the big pictures of the year." The picture turned out just fair because of poor characterizations. The producer saw fit to make the boy a cad; he is shown as taking a young girl to a wine shop to seduce her, thus presenting him as a young man without character. Had he shown him as a real boy, the results would have been as predicted. Accuracy 80%.

**THE WHITE SISTER:** The forecast said: "MGM should make a great picture out of it if they should follow the original version faithfully." The picture turned out as predicted, although it is not a great box office success, because almost everybody saw it as a silent. Accuracy 100%.

**PAYMENT DEFERRED:** The forecast said: "The material is not such as to make an attractive picture even for those who seek horror entertainment." The picture turned out just as predicted. In some theatres it was pulled off the screen. Accuracy 100%.

**RED DUST:** The forecast said: "There seems no hope for this material," on the ground that it was slow as a play and unfolded in sordid environment. The picture was given a good production but still it remained an unpleasant sort of picture, and reeked with sex. But because of Jean Harlow, who is popular with persons who seek sex entertainment, and of Clark Gable, the picture drew well. However, the forecast is marked as being inaccurate.

**WHISTLING IN THE DARK:** The forecast said (in the United Artists section): ". . . (it) should prove an excellent comedy-drama." The picture turned out just as predicted. Accuracy 100%.

**LET'S GO:** This picture was first announced for the 1932-33 season, but was delivered to 1931-32 accounts. The forecast said: "If so (if the hero's characterization that presents him as a criminal should be changed), the material should make a thrilling melodrama." The alterations were made and the picture turned out as predicted. Accuracy 100%.

**SMILIN' THROUGH:** The forecast said: "'Smilin' Through' seems to be like Heaven-sent." The picture turned out one of the most popular pictures of the year. Accuracy 100%.

**STRANGE INTERLUDE:** The forecast said in the editorial part of the MGM section, No. 9, that this material should make a picture for cultured picture-goers but hardly for the masses. The picture turned out just that. Accuracy 100%.

### Paramount

**ISLAND OF LOST SOULS:** The forecast said: "The material is too foul, morbid and gruesome for a talking picture. . . . The vivisection scenes would prove revolting if they were shown in any way. The agonies of the brutes will cause patrons to leave the theatre. And so will the hideous-looking faces of the monsters." The picture turned out just that. Accuracy 100%.

**A FAREWELL TO ARMS:** The forecast said: ". . . the material is unsuitable for a talking picture. . . . It would be cruel even to suggest the pains Catherine went through at childbirth; I don't believe people will stand for it." The picture was given an excellent production by one of the most capable directors in the world—Frank Borzage. In the big cities it has drawn well and pleased; but in the small towns it has fallen down and has created no little dissatisfaction, not only because of the horror of the childbirth scenes, where the mother and the child die after an operation, but also because of the sexiness of the theme. It should not be denied, however, that Gary Cooper and Helen Hayes did excellent work. But because I do not wish to take advantage of a disputed point, I am marking the forecast inaccurate.

**GUILTY AS HELL** (forecast as "Riddle Me This:"): The forecast said: "There is no reason why Paramount should not make a first-rate melodrama out of this." Paramount so made it. Accuracy 100%.

**MADAME BUTTERFLY:** The forecast said: "Its chances . . . are not so great . . . the action is too slow. A



fair picture." The picture turned out just as predicted. All exhibitor reports agreed on it. Accuracy 100%.

**THE BIG BROADCAST:** The Forecaster said: "The play burlesqued radio broadcasting in a somewhat similar manner as 'Once in a Lifetime' burlesqued the ways and the stupid mistakes of picture producers. . . . It should make a good entertainment of the program grade." It did that. Accuracy 100%.

**NIGHT AFTER NIGHT** (forecast as "A Single Night"): The forecast in this case went wrong 100%.

**THE UNDERCOVER MAN:** The forecast said (in Section 10): "There is plentiful material for a thrilling detective-gangster melodrama." It turned out good. Accuracy 100%.

**HOT SATURDAY:** The forecast said that the material was filthy and unsuitable for an entertaining picture; there was no sympathy for any of the characters. The picture turned out exactly as predicted. Accuracy 100%.

**SEVENTY THOUSAND WITNESSES:** The forecast in this case went wrong 100%.

**SIGN OF THE CROSS:** The forecast said (in Section 10) that if Mr. DeMille should concentrate on the human interest as much as on the spectacular element he should make a big picture for small as well as for big towns. The picture turned out one of the best box office attractions of the year. Accuracy 100%.

**IF I HAD A MILLION:** Forecast inaccurate.

**HERITAGE OF THE DESERT:** The forecast said that this material would make a good program picture. It did. Accuracy 100%.

**EVENINGS FOR SALE:** The forecast said: "Paramount has a good bet in (this)." The picture turned out slightly less appealing than predicted, because the producers eliminated some choice material. Accuracy 80%.

**NO MAN OF HER OWN** (forecast as "No Bed of Her Own"): The old material was abandoned, an entirely new story having been written. Since the dropping of the material is an admission that it was poor, the accuracy of the forecast may be considered as having been correct. Accuracy (by inference) 100%.

**THE STORY OF TEMPLE DRAKE** (taken from William Faulkner's "Sanctuary"): This was commented upon in HARRISON'S REPORTS, issue of November 5, 1932, on page 180, under the heading: "THE NEED FOR A LAW . . ."; also in the issue of March 18, 1933. In the two articles, the material was pronounced vile. The picture has turned out as predicted. Accuracy 100%.

### Radio Pictures (RKO)

**KING KONG** (forecast as "Kong"): The forecast said: "The material is thrilling and, if properly handled, there is no reason why 'Kong' should not turn out to be one of the biggest successes of the season." The picture has turned out exactly as predicted. Accuracy 100%.

**A BILL OF DIVORCEMENT:** Wrong 100%.

**ANIMAL KINGDOM:** The forecast said: "The value of the play lies in skilful plot construction, clever dialogue, and good acting. There is some comedy relief contributed by the butler . . . the characters violate the prevailing moral standards and it will require delicate handling and the right kind of players to put it over. . . . The material is not extraordinary for a talking picture. It is not suitable for the family circle." It turned out just that for small towns and neighborhoods in big towns, but it went fairly well in big towns. Accuracy 85%.

**AGE OF CONSENT** (forecast as "Cross Roads"): The forecast said: "Not much can be expected out of such material." The prediction was correct. Accuracy 100%.

**SWEEPINGS:** The forecaster said: "The book is extremely sexy and sordid. The material is commonplace (about business). . . . There is enough material for five pictures but not enough for one good picture." The picture turned out exactly as predicted. Accuracy 100%.

**THE HALF-NAKED TRUTH** (forecast as "Phantom Fame"): The forecast said: "A picture based on this book is destined to fail." Not even the title of the book was retained—a new story was written entirely. Since the material and the title were abandoned entirely, the producers admitted that the forecast was right. Accuracy (by inference) 100%.

**THIRTEEN WOMEN:** The forecast said: ". . . the material cannot make an acceptable picture. It is too horrible." It turned out exactly as predicted. Accuracy 100%.

**SECRETS OF THE FRENCH POLICE:** The forecast said: "There is not much original material. . . . nothing

contained in the twelve chapters has escaped the eye of the American producer . . . some of the murders are gruesome . . . In one of the chapters, a mad sculptor, after murdering a beautiful woman, dipped her body into a bitumen varnish; he then coated it with a mixture of silicate and gypsum. The surface became hard and as smooth as marble. Bertillon pricked the human statue and blood issued from it." The picture turned out poor. Accuracy 100%.

**THE MOST DANGEROUS GAME:** The forecast said: "Comment on this material is hardly needed; it is horrible and it is hardly conceivable that any one can make an acceptable picture out of it." The picture turned out as predicted. Accuracy 100%.

**THE MONKEY'S PAW:** The forecast said: "The story is marvelous but it is unsuitable for a talking picture. It is too horrible. Who wants to see the death of the only son of a happy couple? . . . No hope for this material." The picture turned out just as predicted. Accuracy 100%.

**THE PENGUIN POOL MYSTERY:** The forecast said: "There is plentiful interesting and laugh-exciting material in this story. . . . A good bet." The picture has turned out just as predicted. Accuracy 100%.

### United Artists

**RAIN:** The forecast said: "Though the play was successful, its story material is not so good for a talking picture." The picture turned out poor. Accuracy 100%.

**CYNARA:** The forecast said: "In all probability the play, if well handled, will make a very good picture for metropolitan centers, but one of doubtful value for small towns." It turned out just as predicted. Accuracy 100%.

**THE MASQUERADER:** The forecast said: "This is a strong dual melodrama, in which the hero assumes the two parts. In the one part he is a drug fiend; in the other a regular fellow. It is strong material, but the doings of the drug fiend may not prove so pleasant to some picture goers. . . . This play was put into pictures once before, in 1922, by First National. . . . The picture turned out good. . . . It should prove suitable mainly for adults." It turned out good, and because of the fine acting of Ronald Colman, the drug fiend's doings did not prove repulsive. Accuracy 85%.

**I COVER THE WATERFRONT:** The forecast said: "Since the story consists of a series of adventures, it lacks unity. . . . If it should be put into a picture in the form it now is, it will be no different from just so many short reels strung together. . . . The dramatic values of the different episodes are not very tense. And it has another shortcoming, that of lacking a love story. . . . As the material now stands, the best one may hope for is a fair travel-adventure picture." When this forecast appeared the producer told me that he agreed with me that the story material was not so suitable but that he would have it so altered as to make it a good entertainment. The material was altered, well enough, and a love story was interwoven in the plot. But the alterations have made it into a gruesome, sickening picture. Accuracy 100%.

### Universal

**ONCE IN A LIFETIME:** The forecast said that this material should make a talking picture even better than the play. The picture did not turn out as good. Accuracy 80%.

**THE OLD DARK HOUSE:** The forecast said: "This material is far better for a horror melodrama than either 'The Invisible Man,' or 'The Suicide Club.'" The picture turned out a good horror melodrama. Accuracy 100%.

**AFRAID TO TALK** (forecast as "Merry-Go-Round"): The forecast said: "Though (the material is) powerful, it is harrowing; it leaves one embittered. Universal will naturally change the hanging; but even with such a change it is doubtful if the picture can get very far when the harrowing experience an innocent young man went through is the main idea. We have an example of how the public feels toward such pictures—'Night Court,' MGM." The picture has turned out just as predicted. Accuracy 100%.

**AIRMAIL:** The forecast said: "The material is thrilling." The picture turned out thrilling. Accuracy 100%.

### Warner Bros.

**BLESSED EVENT:** The forecast said: "Unless the producers bungle, 'Blessed Event' should make a good entertainment." The producers did not bungle and so the picture turned out just as predicted. Accuracy 100%.

**A SUCCESSFUL CALAMITY:** The forecast said: "The story is artificial and its material of the program grade. The comedy does not provoke roars of laughter, though it excites mild laughter and smiles. The good nature of the father awakens some sympathy and so do the chil-



dren, who show their loyalty to their father at the time he is supposed to need help. . . . The best one may expect out of it is a comedy of the program grade." The picture turned out a good program comedy. Accuracy 100%.

I AM A FUGITIVE FROM A GEORGIA CHAIN GANG: The forecast in this instance was inaccurate.

## ANALYSIS FOR THE PRODUCER

### Columbia

RIGHT 6: "Soldiers of the Storm"; "Night Club Lady"; "Child of Manhattan"; "The Woman I Stole"; "No More Orchids"; "Washington Merry-Go-Round."

WRONG 1: "Bitter Tea of General Yen."

### First National

RIGHT 6: "The Cabin in the Cotton"; "The Crash"; "The Match King"; "They Call It Sin"; "Forty-second Street"; "Twenty Thousand Years in Sing Sing."

WRONG 2: "Life Begins" and "Silver Dollar."

### Fox

RIGHT 6: "Congorilla"; "Trick for Trick"; "Hat Check Girl"; "Second Hand Wife"; "State Fair"; "Cavalcade."

WRONG 2: "Call Her Savage"; "Rackety Rax."

### KBS Tiffany

RIGHT 2: "Uptown New York"; "A Study in Scarlet."

WRONG: None!

### Metro-Goldwyn-Mayer

RIGHT 10: "Reunion in Vienna"; "The Outsider"; "Secret of Madame Blanche"; "The White Sister"; "Payment Deferred"; "Whistling in the Dark"; "Let's Go"; "Smilin' Through"; "Strange Interlude"; "Hell Below."

WRONG 1: "Red Dust."

### Paramount

RIGHT 11: "Island of Lost Souls"; "Guilty as Hell"; "Madame Butterfly"; "The Big Broadcast"; "The Undercover Man"; "Hot Saturday"; "Sign of the Cross"; "Heritage of the Desert"; "Evenings for Sale"; "No Man of Her Own"; "The Story of Temple Drake."

WRONG 4: "A Farewell to Arms"; "Night After Night"; "Seventy Thousand Witnesses"; "If I Had a Million."

### Radio Pictures (RKO)

RIGHT 10: "King Kong"; "Animal Kingdom"; "Age of Consent"; "Sweepings"; "The Half-Naked Truth"; "Thirteen Women"; "Secrets of the French Police"; "The Most Dangerous Game"; "The Monkey's Paw"; "The Penguin Pool Mystery."

WRONG 1: "A Bill of Divorcement."

### United Artists

RIGHT 4: "Rain"; "Cynara"; "The Masquerader"; "I Cover the Waterfront."

WRONG: None!

### Universal

RIGHT 4: "Once in a Lifetime"; "The Old Dark House"; "Afraid to Talk"; "Airmail."

WRONG: None!

### Warner Bros.

RIGHT 3: "Blessed Event"; "A Successful Calamity"; "I Am a Fugitive."

WRONG: None!

	Right	Wrong
Columbia .....	6	1
First National .....	6	2
Fox .....	6	2
KBS Tiffany .....	2	0
MGM .....	10	1
Paramount .....	11	4
Radio Pictures .....	10	1
United Artists .....	4	0
Universal .....	4	0
Warner Bros. ....	3	0
	<hr/> 62	<hr/> 11

The total number produced of those forecast is 73, of which 62 proved Right and 11 Wrong. The percentage ratio is as follows: Right, 85% (.8493%); Wrong, 15% (.1507%).

## ANALYSIS FOR THE EXHIBITOR

Columbia: No change in the ratio: Right, 6; Wrong, 1.

First National: No change in ratio: Right, 6; Wrong, 2.

Fox: "State Fair" and "Cavalcade" are deducted, since these were not contract pictures. This changes the ratio to: Right, 4; Wrong, 2. But, since Fox has already abandoned four contract materials, "Broken Blossoms," "Checkers," "What Price Glory," and "Havoc," which were in the contract at the time Fox offered its group to exhibitors for sale, thus admitting that the forecasts of them were accurate 100%, these should be added to the number of accurate forecasts. New ratio: Right, 8; Wrong, 2.

KBS Tiffany: No change: Right, 2; Wrong, none.

Metro-Goldwyn-Mayer: Since "Hell Below" was not offered to the exhibitor in the beginning of the season, it must be deducted from the total number of Right. And so must "Smilin' Through," which was sold during the 1931-32 season. On the other hand, "Let's Go," although delivered on the 1931-32 season, must be included, for at the time it was forecast MGM made exhibitors believe that it would be a 1932-33 picture. New ratio: Right, 8; Wrong, 1.

Paramount: Since "The Story of Temple Drake" was not forecast in time to help an exhibitor determine the value of the group, this picture must be deducted from the number of Right forecasts. Ratio: Right, 10; Wrong, 4.

Radio Pictures: Since "Moon and Sixpence" and "The Sun Also Rises" were abandoned as a result of the adverse forecasts in the Forecaster, these must be added to the total number of Right, for at the time the RKO product was offered to the exhibitor these two pictures were among the group. The ratio thus becomes: Right, 12; Wrong, 1.

United Artists: No change: Right, 4; Wrong, none.

Universal: Since this company abandoned "Laughing Boy" and "Glamour" long after its product was sold to the exhibitors, thus admitting, by implication, that the forecasts, which were adverse, were accurate, these must be added to the total number of Right. The ratio thus becomes: Right, 6; Wrong, none.

Warner Bros.: No change: Right, 3; Wrong, none.

	Right	Wrong
Columbia .....	6	1
First National .....	6	2
Fox .....	8	2
KBS Tiffany .....	2	0
Metro-Goldwyn-Mayer .....	8	1
Paramount .....	10	4
Radio Pictures .....	12	1
United Artists .....	4	0
Universal .....	6	0
Warner Bros. ....	3	0
Total .....	<hr/> 65	<hr/> 11

Total number of pictures, 76. Expressed in percentages: Right, 85% (.8552%) Wrong, 15% (.1448%).

Though I put "Call Her Savage," "Red Dust," and "A Farewell to Arms" in the Wrong column, I still think that they are not a good entertainment, and put them there only because the exhibitors said they made some money with them. But whatever success "Call Her Savage" made it was owed to the fact that Clara Bow reentered the screen after an absence lasting several years and people went to see her; there was nothing to the story of "Red Dust," and drew because of Clark Gable and Jean Harlow; and though "A Farewell to Arms" was given an excellent treatment by director Frank Borzage, the showing (implying) of a woman giving birth to a dead child and then dying is not what the average picture-goer wants as entertainment. Yet I have put them in the Wrong column. In the case of "Bitter Tea," had I known that the Columbia production heads would have made a white woman fall in love with a Chinese brigand I would have condemned it.

Picking seventeen pictures right out of each twenty is not so bad. The percentage of accuracy could be made still greater if all the material that has been abandoned because of lack of merit were taken into account. This proves conclusively wrong the belief that it is difficult to prejudge with reasonable accuracy what quality picture a given material will make. If no higher accuracy is attained at the studios, the fault must necessarily lie with the system of material choosing.

Copies of the entire 1932-33 season's forecasts will be furnished free to any one who may desire to check up the accuracy of this service by reading the complete forecasts.



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## Hays' Misleading Assertions About Block-Booking—Last Article

In last week's article I refuted, I believe, Will Hays' assertions that, with the new contract in vogue, the exhibitor will not be compelled to show "a single unendorsed film," meaning of course, 'a single "dirty" film,' by pointing to the fact that, among the twenty-five January releases, there was only one picture that was suitable for the entire family, and that, among the twenty-eight February releases, the number of such pictures was only seven. Let us pursue our investigation into the months of March and April so as to make sure that the smallness of the number of family pictures in those two months was not merely an accident, and to arrive at a fair average.

Twenty-eight regular feature pictures were released in March. Of these, eighteen were unsuitable, one questionable, and only nine suitable.

Unsuitable: "The Parole Girl," "When Strangers Meet," "Sailor's Luck," "After the Ball," "Pleasure Cruise," "Bondage," "Fast Workers," "Rasputin," "Strictly Personal," "The Pickup," "Murders in the Zoo," "The Great Jasper," "Our Betters," "Christopher Strong," "Perfect Understanding," "Destination Unknown," "Girl Missing," and "The Keyhole."

Questionable: "A Lady's Profession."

Suitable: "Grand Slam," "Humanity," "Gabriel Over the White House," "King of the Jungle," "Manhunt," "Big Cage," "The Cohens and the Kellys in Trouble," "Be Mine Tonight," and "42nd Street."

In April there were released twenty-five. Of these, eleven were unsuitable, four questionable, and only ten suitable.

Unsuitable: "Night of Terror," "Mind Reader," "Central Airport," "Hello Sister," "Constant Woman," "Today We Live," "Terror Aboard," "Sweepings," "Out All Night," "Ex-Lady," and "Picture Snatcher."

Questionable: "Below the Sea," "Trick for Trick," "Son of the Eagle," and "India Speaks."

Suitable: "Soldiers of the Storm," "Elmer the Great," "Cavalcade," "Zoo in Budapest," "The White Sister," "Looking Forward," "A Bedtime Story," "Secrets," "Lucky Dog," and (I believe) "Untamed Africa" (I have not yet seen it).

Expressed in percentage terms, the percentages for the different months are as follows: January, 4%; February, 25%; March, 32%; and April, 40%. The average for the four months has been 24½%. And yet Will H. Hays says that "86% of the 1932 product was endorsed by one or more of the nationally minded groups previewing pictures in Hollywood," and that, by leading innocent people to believe that the exhibitor has the right, under the new contract, to cancel fifteen per cent of the pictures, he will not be compelled to show any "dirty" pictures.

To begin with, the exhibitor is not given the right under the new contract to cancel fifteen per cent of the total number of pictures he buys from a particular producer, as I clearly explained in last week's article. But even if he were given such a right, could he eliminate the demoralizing pictures when they are more than fifty per cent of the total number? Even if he could, conceding this point for the sake of further proving the inconsistency of Hays's thoughts, the new contract has not yet gone into effect, and will not be used until the 1933-34 season, which begins the first of August. Even then, the new product will be shown "staggered," for most exhibitors will have enough 1932-33 pictures to last them well into winter, and many others will not begin to show pictures under the new contract until well into 1934. In the meantime, the dirty pictures the Hays group has produced will have to be shown. There are about one thousand pictures in circulation right now, shown

progressively: some are to be shown only a few times, some will be shown more times, and some have not yet been shown at all. Even if we were to assume that the number of demoralizing pictures is not greater than fifteen per cent, the exhibitors are not offered any relief from these pictures; they will have to show them, thus taking the blame from the public for showing pictures which they had nothing to do with producing, and which they would gladly forego showing if they had some way by which they could get rid of them without paying for them.

But why should the opinion of these "socially-minded groups," who preview pictures in Hollywood, be taken as a law by the exhibitors? They are a group of amateurs, disagreeing among themselves most of the times. For instance, the D. A. R. group passed "Luxury Liner" as "Interesting for adults. Possible for young people." The picture shows a man living with a married woman, who spurned her husband. There is also a murder in the picture. If an exhibitor were to take the opinion of the D. A. R. at its face value, he might book it on a Sunday. Then Hades will break loose on him if he should happen to be in a town where parents are particular about what kind of pictures their sons and daughters should see. Women's University Club classes this as an adult picture only. HARRISON'S REPORTS declared it unsuitable for children or for Sunday showing.

In the case of "Topaze," Daughters of American Revolution classed it, according to this Bulletin, as an adult picture only, whereas others classed it as "family." No one can question the artistry of this production. Mr. John Barrymore does a remarkable piece of acting in it. But the story teaches that dishonesty is the best policy—the hero could not make any progress as an honest man, but when he joined dishonest people he made piles of money and became a famous figure.

One finds inconsistencies in other pictures mentioned in this Bulletin.

From the day ex-Senator Brookhart introduced in the United States Senate a bill to outlaw block-booking, the Hays organization used every method, holy or unholy, to defeat this bill as well as the general efforts of the independent theatre owners to get relief from this pernicious system of buying pictures in large blocks, and "blindly." Magazines with national reputation, such as *Review of Reviews* and *Atlantic Monthly*, printed articles misrepresenting the bill, and then refused to retract when the attention of the editors was called to the inaccuracy of their statements. Who could have given them the misleading information? Those who write articles about an industry must, of necessity, obtain their information from persons connected with that industry. In the case of Edward Barrows, I know for a fact that no representative of the recognized exhibitor organization—Allied States Association of Motion Picture Exhibitors—was approached for information, and since this paper was not approached either, it is reasonable to assume that he obtained his information for his *Review of Reviews* article (March, 1932) from producer sources. And no retraction was made either, even though a protest was sent to the editor by this paper and by Mr. Abram F. Myers, general counsel of Allied States Association. He did not even acknowledge the letters. It is significant to note that the issue that carried the Barrows article carried also a flattering article about Will H. Hays.

As far as the *Atlantic Monthly* is concerned, the editor was more decent about it—he replied to the protests of Mr. Myers for misstatements about this bill in the January, 1932, issue; but he did not retract. I am copying extracts from Mr. Myers' letter:

(Continued on last page)



### "International House"

(Paramount, June 2; running time, 67½ min.)

An excellent comedy. For the first thirty minutes the audience is kept laughing almost continually; although the second half slows down a little, it still provides enough comedy to hold the interest. The last scenes, which show Fields running wild with his baby automobile, are a scream.

Most of the performers are well known to everybody, either through the radio or the screen: Burns and Allen, W. C. Fields, Peggy Hopkins Joyce, Rudy Vallee, Stuart Erwin, Sari Maritza, Cab Calloway, Bela Lugosi, Baby Rose Marie, and Col. Stoopnagle and Budd, and it is the type of entertainment that should please all classes of audiences.

What this picture lacks in story is made up for by the extremely funny comedy situations. Burns as a doctor, and Allen as his half-wit nurse, say things so nonsensical that they set the audience to roaring with laughter. The real excitement begins with the entrance of W. C. Fields. Traveling around the world in an autogyro he loses his way and the authorities trace his route by the empty beer bottles that come flying down from the sky. He finally lands in China in the main dining room of International House, and asks if he is in Kansas City, Kansas. He almost breaks up the place; he becomes entangled in all the telephone wires, disconnecting the service, and is chased around the hotel by angry guests whose rooms he looks into in his search for his Chinaman friend. He finally lands in Peggy Hopkins Joyce's room and when she learns he is a millionaire she plays up to him. Her divorced husband sees Fields in the room and is out to "get" him. But Fields escapes in his little car, by running down the steps in the Hotel and breaking everything in his way, releasing a runaway in his autogyro and riding right into the plane.

The story has to do with a radio device invented by a Chinaman living at International House. All sorts of people come to the house to buy the invention but Stuart Erwin, representing an American firm, is the lucky purchaser. He wins also Sari Maritza as his wife when he is able to convince her and the authorities that he is a healthy man and does not have to be kept in quarantine.

The plot was adapted from a story by Neil Brant and Louis E. Heifetz. It was directed ably by Edward Sutherland. Others in the cast are Edmund Breese, Lumsden Hare, Franklin Pangborn, Harrison Greene and Henry Sedley.

Suitable for children, adolescents, and for Sundays.

### "The Little Giant" with Edward G. Robinson

(First National, May 20; running time, 75 min.)

Very good entertainment. It is fast-moving and has much comedy. Although the hero is shown as being a former gangster, one sympathizes with him because of his desire to become a gentleman. In his efforts to do so he provokes many hearty laughs, because of his clumsiness and his ignorance as to proper social behavior; as, for instance, his arrival at a tea party, where he shows inability to cope with the food given him. When something is served him on a tooth-pick he takes the food off and puts the tooth-pick into his pocket. Human interest is aroused by the love the heroine feels for him and by her desire to help him. The closing scene showing the hero's pals playing polo by shooting at the ball is extremely funny:—

When Roosevelt is elected President and the beer bill is passed the hero, leader of Chicago bootleggers, tells the gang he is through. He is a millionaire and decides to become cultured and mix in society. He goes to California with his pal and there meets a beautiful young girl who personifies real class to him. He rents a house and engages the heroine as housekeeper; he did not know that she formerly had owned that house and was a real lady. When the other young girl's family learn that the hero is a millionaire they play up to him and soon he is engaged to the daughter. The heroine feels badly since she knew that the family were crooks; they had ruined her father. The fiancée's father talks the hero into investing \$600,000 in his broken-down brokerage business. It is not until the heroine enlightens him that he realizes he had been duped. He sends for his gang, instructing them to fly to California from Chicago, that they might arrive there without delay. He organizes them and they go to each of the members of the firm, and extract back by force all the money the hero had invested. The hero pays a personal visit to the family just as they were ready to go to Europe, tells the daughter what he thinks of her, and then forces her to give him back the ex-

pensive engagement ring. He goes back to his house disconsolate. There he learns that the heroine is a real lady, and that she loves him. He proposes to her. She gladly accepts him.

The plot was adapted from a story by Robert Lord, and directed by Roy Del Ruth. In the cast are Mary Astor, Helen Vinson, Kenneth Thomson, Shirley Grey, Russell Hopton, and others.

Not suitable for children, adolescents, or for Sundays.

### "Forgotten Men"

(Jewel Productions, Inc.; running time, 82 min.)

This is a compilation of authentic scenes of the World War, pictures of actual fighting taken for the records of the different governments. The closing scenes prove to be propaganda in favor of the bonus for veterans; the lecturer speaks of the duty we owe to the men who fought for us, and then scenes are shown of the bonus camp at Washington, and how the veterans were treated and chased. The lecturer ends up by saying that with Roosevelt the ex-service men expect a new deal.

Despite the gruesomeness of most of the scenes shown, they are for the most part thrilling to male audiences.

At first scenes are shown of the different countries preparing for war. Kings review their troops, the soldiers are sent off amid pomp and music, and then dispatched to the battlefield.

The scenes on the battlefields show the men preparing to go over the top, and then going over. Actual warfare is shown, that is, hand to hand combats, bombings, and the issuance of poison gas and oil flames. In some of these scenes men die like flies, one dropping after another. Some are not killed outright and they struggle to help themselves.

No unnecessary sentiment is displayed in the removal of the dead. The bodies are piled together and buried in one grave. The scenes of dead men strewn over the battlefields are horrible; also the sinking of ships by enemy submarines. Men jump from the ships into the sea only helplessly to swim around and then drown.

The lecturer introduces men of different countries, who explain the various battles in which they took part. Each one of them utters the same remark, that is, he would not care to live over his experiences.

This picture should serve as good propaganda for peace.

Hardly suitable for children or adolescents. As for Sundays, it is a matter of choice.

### "Forgotten" with June Clyde

(Invincible Pictures; running time, 67 min.)

A fair program picture, suitable for the family trade. It has human interest, some comedy and pathos. Sympathy is felt for the father who is neglected by his sons, but who never complains. The situations that show him in an old man's home, lonely and unhappy, are pitiful, particularly when his daughter arrives and is indignant to find her father there. The daughter is a very sympathetic character, but one loses respect for the sons because of their selfishness.

In the development of the story the father works hard and becomes wealthy. His two sons are married to rather selfish women, one of the couples living with the father in his home. His daughter is in love with a young but poor inventor, and the father approves of the match. When his old friend writes that he is dying the father sends his daughter to California to be with the friend. While she is away the father feels he is not wanted and after being shifted to the other son's home he goes to an old man's home where he receives a visit from his sons but once a week. When the daughter arrives home she is indignant and berates her brothers for their treatment of their father. She takes up home with her father and they decide to start a business with her sweetheart's new invention. Their business progresses and practically ruins the sons' business, from which they had formerly forced their father to resign. The father brings them to their senses, and merges the two companies. He goes back to live at his old home and his daughters-in-law treat him with respect and love.

The plot was adapted from a story by Harry Sauber. It was directed by Richard Thorpe. In the cast are Natalie Moorhead, Leon Wycoff, William Collier, Jr., Lee Kohlmar, Natalie Kingston, and others.

Suitable for children, adolescents and for Sundays.



### "Golddiggers of 1933" with Joan Blondell and Warren William

(Warner Bros., 1933-34 release; running time, 97 min.)

A good back-stage musical comedy; it is peppy, has plentiful comedy, catchy tunes, and good sets in the musical numbers; but there are lapses when it is quite slow, and on the whole it is not as good as "42nd Street." The musical numbers are lavishly produced; as, for instance, in the opening and closing scenes. For beauty there is the number in which a song is played and girls twirl around a huge stage, supposedly playing violins, in shimmering costumes. Aline MacMahon as a wise-cracking stage comedian, and Guy Kibbee as a middle-aged naive lawyer, provide the laughs. The situation in which she does a little gold-digging by having hats delivered to her apartment just when he is there is quite funny. The spectator is kept in fairly tense suspense because of the mystery surrounding Dick Powell and his ability to provide money for the show:—

Joan Blondell, Ruby Keeler and Aline MacMahon are three showgirls out of work. Their spirits are raised when Ned Sparks tells them he is ready to start a show, but they are dejected when they learn he has no money. Dick Powell, a song-writer living in the same boarding house, is in love with Ruby. He offers to advance the money for the show and they think he is teasing them. But the next morning he arrives at Sparks' office with \$15,000 and the show is put into rehearsal. Dick is forced to play a part in it and to sing his songs. The girls warn Ruby that Dick must be a crook but she has faith in him. They find out who he really is when his brother arrives with a lawyer. It seems that Dick belonged to a wealthy society family and Warren William, the brother, is enraged to find him acting in a show; he also warns Dick not to marry Ruby. Thinking he can buy the girl off he, together with Kibbee, his lawyer, goes to the apartment where she lives with Joan and Aline. Joan poses as Ruby and she and Aline go to lunch with the two men. William finds himself falling in love with Joan. They go out to dinner again and he becomes intoxicated. Joan takes him to her apartment and he makes love and then passes out. Aline comes home and they decide to teach William a lesson. They undress him and put him in Joan's bed. When he awakens in the morning he is terrified and rushes away leaving a check for \$10,000 for Joan, which she frames. He then reads that Dick married Ruby and for the first time realizes Joan is not the girl. He rushes back to her apartment to remonstrate with her but instead he tells her he loves her. She tells him she will not marry him unless he forgives Dick and Ruby. He does.

The plot was adapted from the play by Avery Hopwood. It was directed by Mervyn LeRoy. In the cast are Ned Sparks, Clarence Nordstrom, and others. It is not as entertaining as "42nd Street," but it is more gorgeous and more glamorous. In addition, its title is more "catchy."

Unsuitable for children, adolescents, and for Sundays.

### "The Nuisance" with Lee Tracy

(MGM, June 9; running time, 82 min.)

A fast-moving comedy-melodrama; it holds the audience in suspense throughout, particularly during the closing scenes where the hero is shown as being in danger of becoming disbarred. Although the actions of the hero are not such as to make him a sympathetic character, since he does ambulance-chasing and by shyster methods collects money for clients in accident cases when they are not even hurt, he is made a likeable character by the good performance of Lee Tracy and in the closing scene one feels pity for him. The same is true of the heroine, for she is a detective assigned to the hero's case; she permits him to fall in love with her, worming out his secrets which he gives her in confidence, and then betraying him. She, too, arouses sympathy in the closing scenes when she is ready to go to prison to save the hero. Much of the comedy is brought about by Charles Butterworth, a professional "floppey," who makes his living by falling in front of automobiles, painting his face with red ink as if injured, and then collecting money.

The story revolves around the ambulance-chasing and crooked practices of the hero. A good many of his collections are from the street car company and the company's legal head decides to "get" the hero. The heroine is hired as a detective and she sets out to trap the hero. In the meantime they fall in love with each other. But she continues with her work. At the request of the company's lawyer she signs a complaint in an accident case brought by the hero,

when both she and the hero know that there was no accident. The day before her trial the hero discovers who she is. Without telling her that he knows, he marries her, the law being that a wife cannot testify against her husband. The next day at her trial the company's lawyer feels that the heroine had double-crossed him. And the hero refuses to have anything to do with her. The lawyer orders her arrest for perjury in signing a false complaint. It is then that the hero realizes how much she really loves him and he goes to extreme methods to procure her release. He ties up traffic by means of old ordinances, and when that does not work his pal falls in front of the lawyer's automobile and the hero pours whiskey over the wheel and plants an intoxicated blonde in the car. Since everything is stacked against the lawyer he is forced to release the heroine so that the hero will not bring charges against him and disgrace him.

The plot was adapted from a story by Chandler Sprague and Howard Emmett Rogers. It was directed by Jack Conway. In the cast are Frank Morgan, John Miljan, Virginia Cherrill, David Landau, and others.

Because of the light vein with which it has been handled, it should not be unsuitable for children, adolescents and for Sundays.

### "Wives Beware" with Adolphe Menjou

(Regent Pictures; running time, 61 min.)

Just a moderately entertaining program picture. It is a British production and, with the exception of Adolphe Menjou, has an all English cast. It has its comedy moments that will bring laughs, but for the most part the action is slow. The hero is not a particularly sympathetic character; he is given to flirting and making love to many women, even attempting to win back a former sweetheart after he is married to another woman for just a short while. It is this former sweetheart who wins one's sympathy because she sincerely loved him and his marriage to another woman made her extremely unhappy.

In the development of the plot the hero leaves his wife because he could not stand the love and care given him by both his wife and her mother. He assumes another name and leads a jolly life until his former sweetheart finds him. She then insists that he accompany her to his home and he makes believe he had lost his memory and did not know who he was. His mother-in-law tries to bring back his memory, and realizing that he cannot keep up the hoax any longer he makes believe that her cure was effective and he suddenly "recovers" his memory. There is a happy reunion between him and his wife and mother-in-law.

The plot was adapted from a story by Harold Dearden. It was directed by Fred Niblo. In the cast are Claude Allister, Jane Baxter, Margaret Bannermann, and Jean Cadell.

Not unsuitable for children, adolescents, or for Sundays.

### "Cheating Blondes" with Thelma Todd

(Equitable Pictures; running time, 61 min.)

Mediocre program entertainment. The action is slow, the story trite, and the characters arouse little sympathy. The acting is stilted and the story implausible. The whole picture has the air of having been put together in a hurry.

Thelma Todd takes a duel part, that of two sisters, one of whom is an entertainer in a night club, and the other a salesgirl. The drunken husband of the salesgirl's next door neighbor forces his way into her room and then is mysteriously shot. The salesgirl runs away and goes to her sister's apartment. She comes just in time for the sister was planning to leave the show. Because of their remarkable resemblance the theatrical manager puts the salesgirl in her sister's place. She is recognized by Rolfe Harold, a newspaper reporter, and he sets out to prove that she is the girl wanted for murder. Earl McCarthy, a wealthy young man, falls in love with Thelma, and she promises to marry him. Eventually everything is cleared up when the police receive a confession from the murdered man's wife that she had shot him through the transom connecting the rooms. It is also brought out that the reason why the actress sister had to leave the cast was because she was married and was going to have a baby.

The plot was adapted from a story by Gertie W. James. It was directed by Joseph Levering. Others in the cast are Inez Courtney, Milton Wallis, Mae Busch, William Humphries, Brooks Benedict and Dorothy Gulliver.

Not unsuitable for children, adolescents, and for Sundays.



"Many other features of the article are fully as misleading, both for matters stated and matters concealed. Mr. Hapgood, in his reference to the Brookhart bill, stated Mr. Hays's side of the controversy and omitted any reference to the arguments of those supporting the measure. I can not escape feeling that Mr. Hapgood was engaging in a bit of conscious propaganda. And he utterly failed to grasp the significance and effect of industry practices as 'block-booking' and 'protection,' to which he gave left-handed approval by dismissing them as unworthy of the serious attention of Congress.

"Let us consider block-booking. This practice is not analogous to wholesaling or selling as practiced in other industries. It is true that a store keeper may not have the privilege of buying less than a crate of eggs, but he has a come-back if half of the eggs turn out to be putrid. One may not buy just a few articles or stories out of the *Atlantic Monthly*, but must take the whole volume, but no one is compelled to buy more than one issue, or to buy it at all, for that matter. But the operator of a theatre must have the better product of the better known producers, and to get any he must take all that each has to offer, or close his doors. . . .

"Now let us look at Mr. Hapgood's suggestion that the theatre owners are no better (perhaps not so well) qualified to say what is suitable for their patrons than the producers. If the question were one of comparing the intellectual and cultural qualifications of the two classes of men, I would not enter upon the debate. This very suggestion, however, shows how little grasp Mr. Hapgood has of the technique of the industry as well as of the problems of social responsibility involved. Mr. Hapgood must know that different classes of patrons, with widely divergent tastes, attend the many theatres scattered throughout the United States. The persons attending the RKO Music Hall in New York have little in common with those attending the 'opry' house in some small town in Iowa. The producers, controlling a majority of the down-town first-run houses, naturally make pictures that will be pleasing to patrons of those houses. That is their right. Some, but not all, are appropriate to the neighborhood and small town houses catering to the family trade. Now it is obvious that the producers cannot and do not make pictures suitable to all classes of patrons. That being so, who is best qualified to choose pictures most suited to the patrons of a designated theatre, the operator or the production office on Broadway?

"But let us go a step beyond this. Presumably the public has some choice in the matter. Certainly parents are becoming more and more concerned about the pictures exhibited to their children. Also they want pictures dealing with subjects within their grasp and enacted in a way they can understand. Many meritorious drawing room comedies fall flat in communities where conversation and deportment of the kind portrayed are wholly unfamiliar. The people in such communities are not entertained by these pictures and the exhibitor does not want to show them. The same is true of certain so-called horror pictures, gangster pictures, and even some of the musical pictures. There is no point of contact, clothed with discretion, between these patrons and the industry where they can make their wants known. The exhibitor has a perfect alibi because he must buy the pictures before they are made, and he has no right to selection and little or no right of cancellation. They cannot, in fairness, hold him responsible.

"Now the very fact that the independent theatre owners are demanding either the abolition of block-booking or an enlarged right of cancellation (there is some difference as to the method and means, not as to end) indicates that they are aware of a growing dissatisfaction on the part of theatre-goers and they are willing to shoulder a grave responsibility in overcoming it. In order that you may be assured of this, I am enclosing a copy of a resolution adopted by a mass meeting of such theatre owners at the Congress Hotel in Chicago on November 28 (1932). This resolution, with changes only as to time and place, was overwhelmingly adopted by a similar gathering at the Park Central Hotel in New York on December 1 (1932) . . .

"I think you will realize, therefore, that there is much more at issue than a mere trade squabble. Mr. Hapgood's article conceals the social and economic factors underlying the practices he ignores or dismisses with a wave of the hand. Therefore, I think the subject is of such importance that a publication of the standing of the *Atlantic Monthly* can hardly be content with the treatment Mr. Hapgood gives it. Mr. Hapgood undoubtedly is, as you say, a competent writer, but he obviously knows little about the industry and has been willing to accept what was given him

without any individual research and without exploring the effect on other branches of the industry and the public in general of the practices he either ignores or approves."

These statements come from a man who, when Chairman of the Federal Trade Commission several years ago, called a Trade Practice Conference in New York City, at the Bar Association's Building, (October 10, 1927,) in which was discussed the abolition of block-booking by agreement between exhibitors and producer-distributors under the protection of the United States Government. It was then that the producers for the first time agreed to permit the exhibitor to cancel ten per cent of his pictures upon payment of fifty per cent of film rentals, which was really no concession at all; it was also then that the producers promised to refrain from compelling the theatre owners to buy short pictures, comedies, cartoons, scenies and the like, in order for them to obtain the features, a promise they did not keep. For more than two years he was president and general counsel of the exhibitor organization known as Allied States, and since his resignation as president he has been its counsel. So he ought to be in a position to know everything about block-booking. Mr. Myers says that block-booking exists, and that the independent theatre owners have repeatedly and strenuously endeavored to have it abolished, only to see their efforts neutralized by the political manipulations of Will Hays by means, as said, holy as well as unholy.

And not only does block-booking exist as it has existed since 1914, fully eight years before Hays became head of the producer organization, but it exists in a more vicious form now. Today the producer inserts a provision in the contract giving him the right to designate as much as twenty-five per cent of his feature pictures on Saturdays and Sundays, which are considered as a rule the best days in an exhibitor's week. And such a right he, the producer, exercises with the view of serving the interests, not of the people of the exhibitor's community, but of his own; he selects for Saturdays and Sundays, not the cleanest of the lot, but the pictures that will bring the biggest money at the box office, for he sells every one of such pictures on a percentage basis, and the more the box-office intake, the greater his share. The fact that a picture is too dirty for showing on these days, days on which the average mother or father will take his sons or daughters to the theatres since on other days the children must either go to bed early or employ their spare time to studying their lessons, makes no difference to the producer; he wants the biggest returns possible and hang the morals of the young.

How can Hays stand up and tell you, without blushing, that block-booking does not exist? How can he allow such a statement to be put into writing when any one who knows the facts can challenge him and he will have no way of answering him? Has the protection of his own interests so blinded him that he will forget himself and allow such misleading statements to be sent out of his office? Has he no regard for the moral welfare of the children of all American citizens when he justifies block-booking, and moves heaven and earth to defeat the efforts of the independent owners to have it abolished, thus making the showing of such pictures as "The Story of Temple Drake" possible? Evidently he has not.

To the good people from outside of the industry HARRISON'S REPORTS will say on behalf of the independent theatre owners whom it has served faithfully ever since it came into existence, that there is no way by which an improvement of the moral quality of motion pictures will be accomplished except by a law outlawing block-booking. Censorship will not do it; censorship has not prevented Will Hays from having dirty pictures passed. A Federal commission will not do it; a temptation for graft will be created that few people can resist. Only a law will do it. Our first efforts to have such a law passed were defeated; but we have not given up hope—at the next session of Congress we are going to introduce another bill, for which we shall fight as we have not fought before. It is up to you, then, to help us put it through. The task is great; but so is the principle. And principles always win in the end.

(To the exhibitors: This is the last article of the series, which was written at the request of the editor of a prominent weekly magazine. This friend asked me to reply to the Hays statements, and as I felt that other persons not connected with the industry could be enlightened by the marshalling of these facts on block-booking, I decided to print the reply in HARRISON'S REPORTS. You should send a set of the five articles to every prominent person in your town. Just send fifteen cents in stamps for every set you want sent and I can mail them from this office.)



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## The Industry Control Law—What It Means to You!

The United States Congress has already passed, as I am sure you know by this time, Bill S. 1712, commonly known as the National Industry Recovery Bill, placing into the hands of the President of the United States, for a period of two years, the power of reorganizing the national industries by even suspending some of the antitrust laws during this period of time.

Some of the provisions of this Bill are the following:

"Sec. 3. (a) Upon the application to the President by one or more trade or industrial associations or groups, the President may approve a code or codes of fair competition for the trade of industry, or subdivision thereof, represented by the applicant or applicants, if the President finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, and (2) that such code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this title. The President may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the President in his discretion deems necessary to effectuate the policy herein declared."

"(d) Upon his own motion, or if complaint is made to the President that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry or subdivision thereof, and if no code of fair competition therefor has theretofore been approved by the President, the President, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of this section."

Under "AGREEMENTS AND LICENSES," the law specifies the following:

"Sec. 4. (a) The President is authorized to enter into agreements with, and to approve voluntary agreements between and among, persons engaged in a trade or industry, labor organizations, and trade or industrial organizations, associations, or groups, relating to any trade or industry, if in his judgment such agreements will aid in effectuating the policy of this title with respect to transactions in or affecting interstate commerce, and will be consistent with the requirements of clause (2) of subsection (a) of Section 3 for a code of fair competition.

"(b) Whenever the President, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition or an agreement under this title or otherwise to effectuate the policy of this title, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting interstate commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the President shall prescribe. The President may suspend or revoke any such license, after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the President suspending or revoking any such license shall be final if in accordance with law. Any person who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so re-

quired, shall, upon conviction thereof, be fined not more than \$500, or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense.

"Sec. 5. While this title is in effect and for sixty days thereafter, any code, agreement, or license approved, prescribed, or issued and in effect under this title, and any action complying with the provisions thereof taken during such period, shall be exempt from the provisions of the antitrust laws of the United States.

"Sec. 6. (a) No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this title until it files with the President a statement containing such information relating to the activities of the association or group as the President shall by regulation prescribe.

"(b) The President is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this title shall be truly representative of the trade or industry or subdivision thereof represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this title. [This leaves M.P.T.O.A. out.]

"(c) Upon the request of the President, the Federal Trade Commission shall make such investigations as may be necessary to enable the President to carry out the provisions of this title, and for such purposes the Commission shall have all the powers vested in it with respect of investigations under the Federal Trade Commission Act, as amended."

These are the important provisions of the section relating to the recovery of the industries.

For years you have been trying to get relief from the evils of block-booking, blind-booking, unreasonable protection, purchase of all the product by the affiliated theatres, exclusive runs, and other similar unfair trade practices but you were unsuccessful, even though in some instances you resorted to the courts, for the grip of the producers on the industry has been too strong for you. They have had a well-organized, amply financed trade association with political influence second to none in the country. Read the extracts from the speeches of the different Congressmen, which they made on the floor when the rule on the Sirovich Resolution was debated, and you will realize fully what you were up against. The Industry Control Bill can do for you now what you tried to do for yourselves for years without success. It all depends on whether you take advantage of the opportunity that is offered you or not.

How can you proceed?

As the Bill is framed, the President will deal, not with individuals, but with associations or groups. The larger the group, and the better organized, the greater will be the heed that will be paid to their recommendations.

Which is the group that would represent your interests fairly and conscientiously?

Certainly not the Hays organization! If you leave it up to Will H. Hays the system now prevailing will continue. Nor Motion Picture Theatre Owners of America, for this is, practically speaking, a producer organization, for eighty per cent of its upkeep is furnished by the Hays organization, and Section 6 (b) prevents it from undertaking any negotiations.

There is just one national exhibitor organization that will look after your interests—Allied States Association of Motion Picture Exhibitors, of which James Ritter, of Rialto Theatre, Detroit, Mich., is the President, and Abram  
(Continued on last page)



**"Night and Day"**

(Gainsborough Pict.; running time, 76 min.)

This is a British production with an all English cast. It is a fairly amusing program entertainment, with fast action and some good comedy situations. The most hilarious situation is the one in which the hero and his female assistant hide in a wax museum in order to obtain evidence against a gang of crooks who were there to find a stolen pearl necklace which had been hidden on one of the statues by a member of their gang, when he was being chased by police. Each time the hero is in danger of being found by the crooks he and his assistant pose as statues. This brings about hearty laughter because of the ridiculousness of some of their poses. Songs and dances are interpolated in the story; there is a pleasant romance between the hero and the heroine:—

The hero's father, chief of Scotland Yard, refuses to allow his son to join the force. He does not think he is competent enough. The hero, determined to become a detective, enters the force without his father's knowledge. Each day he leaves the house he gives as an excuse the fact that he is going fishing. While covering his beat he comes upon a Punch and Judy show and there meets the heroine, one of the spectators. He falls in love with her and is overjoyed that night to find her as a guest at his father's home. He does not like her escort and suspects him of being a crook. The next day there is a jewel robbery and although the hero chases the thief he loses him in the crowd. He is brought before his father, who is at first shocked to find his son in the service. He then tells him that for his carelessness he is discharged from the service. The hero is determined to get his evidence. With the assistance of a prying female friend of the heroine's he uncovers the doings of the gang and proves that the heroine's party escort is the leader of the gang. He is reinstated in the police force. He and the heroine marry.

The plot was adapted from a story by Jack Hulbert and Douglas Furber. It was directed by Walter Forde. In the cast are Jack Hulbert, Cicely Courtneidge, Winifred Shotter, Francis Lister, and others.

Suitable for children, adolescents and for Sundays.

**"I Love That Man" with Edmund Lowe and Nancy Carroll**

(Paramount, June 9; running time, 74 min.)

Even though "I Love That Man" holds the attention well from the beginning to the end, it is not a good entertainment; on the contrary, it is demoralizing and leaves a pretty bitter taste. To begin with, one feels no sympathy for the hero, for he is a crook, making his living by his wits. Then the heroine, supposedly a good girl since she is a mission worker, goes to live with him because she had fallen in love with him, and not only follows him in his crooked career but helps him fleece people by selling them worthless articles. On top of all this, the hero, who had turned honest and engaged in business, when confronted with two of his former confederates whom he had cheated, and who were determined to kill him, suggests a bank robbery as the way out. In order for him and the crooks to rob the bank, they occupy the next building, herd the occupants in one of the rooms, and proceed to bore underneath to the vault. During this time a woman is in labor pains and the gangsters will not allow the heroine to call for a doctor. One of the bank robbers orders the dentist, who is one of the prisoners, to deliver the child. But the woman dies after the child's birth. This is certainly too horrible to be entertaining. When the robbers bore close to the vault a signal is set; an employe notices it and informs the police. The police surround the building. One of the crooks notices them and informs the chief crook. The chief crook, thinking that it was the heroine who had informed them by telephone, is about to shoot her when the hero intervenes; the crooks shoot him. The hero is taken to the hospital and dies just as the priest was pronouncing the last words of the marriage ceremony, making him and the heroine man and wife. "Till death do us part" are the last words heard and then there is a fadeout.

The plot has been founded on an original story by Gene Towne and Graham Baker; it was directed by Harry Joe Brown. Lew Cody, Robert Armstrong, Warren Hymer, Dorothy Burgess, Grant Mitchell, Luis Alherni and others are in the supporting cast.

Unsuitable for children, adolescents, or for Sundays.

**"Somewhere in Sonora" with John Wayne**

(Warner Bros., May 20; running time, 57 min.)

A good program western; it has fast action and holds the interest to the end. It starts off with speed from the beginning, for a real rodeo show is cleverly worked into the plot, with all the excitement surrounding it. The closing scenes are suspenseful, because of the danger to the hero who is at the mercy of the villain and his gang. The romance between the hero and the heroine is pleasant, and comedy is supplied by the hero's two buddies who are constantly quarreling:—

The hero is unjustly accused of fixing a race and is put in jail. His employer, owner of a ranch, has faith in the hero and procures his freedom. In appreciation, the hero tells his employer he will go in search of his son who had become involved with a notorious gang and could not leave them—to leave meant death. En route he meets the heroine and falls in love with her. He accompanies her and her girl friend to her father's ranch, and then sets out in search of the gang. He meets the leader and is forced to join up with them in robbing the heroine's father. With the help of the employer's son, who had become his friend, he warns the people on the ranch. He escapes with the son and they hide out in a cave and finally are surrounded by the villain's men. They are about to kill him when the heroine arrives with help and they are saved. The hero and the heroine are united.

The plot was adapted from a story by Will L. Comfort. It was directed by Mack V. Wright. In the cast are H. B. Walthall, Shirley Palmer, J. P. McGowan, Ann Faye, Frank Rice, Billy Franczy, Paul Fix and Ralph Lewis.

Suitable for children, adolescents, and for Sundays where westerns are shown.

**"Cocktail Hour" with Bebe Daniels and Randolph Scott**

(Columbia, June 5; running time, 72 min.)

Terrible! It is supposed to be a picture for sophisticated people, but it is not entertaining. The action revolves chiefly around the fact that the heroine, while on board a boat going to Paris, had surrendered to a man she had met on the boat and fallen in love with him, and when the boat neared England she learned from him that he was married. He follows her to Paris to reestablish relations. At one time he even enters her room. With the exception of Randolph Scott, none of the characters has any decent traits. Even Scott fails to arouse any sympathy, for he does not do anything worth while. He merely is patient with the heroine and when she refuses to marry him for the nth time he does not lose courage. But he is not a likeable character, particularly since he marries a woman who would so readily surrender herself to a stranger.

Bebe Daniels, a successful illustrator with modern ideas about personal freedom, is off to Europe on a holiday, alone, despite the protestations of Randolph Scott, who loves her and wants to marry her. On the boat she meets Sidney Blackmer, presumably a gentleman of culture, and he entrances her by his romantic talk. Muriel Kirkland, an American pianist with a Russian accent, who had become friendly with Bebe, knows that Blackmer is a cad but decides not to interfere. Barry Norton, a young man of royal blood, desperately in love with Bebe, also resents Blackmer's attentions to her. One night Bebe succumbs to Blackmer and thereafter spends all her time with him. Just a short while before they land Blackmer tells her he is married and that he expects her to behave like a sport. Disillusioned she and Muriel get drunk that night. Randolph comes to England but decides to treat Bebe coolly in an effort to win her. He does not realize that she would welcome marriage now. At a party given by Barry's mother Bebe again meets Blackmer and after an unpleasant encounter with his wife she leaves, and Blackmer follows her to her apartment. She orders him out and he is about to leave when Barry enters and a fight ensues. By accident Blackmer crashes through a window to the street below. Bebe assumes the blame but Barry finally confesses. When Blackmer regains consciousness he clears them. Barry is released and Bebe tearfully accepts Randolph's proposal of marriage.

The plot was adapted from a story by James K. McGuinness. It was directed by Victor Schertzinger. In the cast are Jessie Ralph, Phillips Smalley, Marjorie Gateson, George Nardelli, and others.

Not suitable for children, adolescents, or for Sundays.



**"The Big Brain" with George E. Stone,  
Fay Wray and Phillips Holmes**  
(RKO, June 23; running time, 72 min.)

Unpleasant and demoralizing. Not for a long time has an unsympathetic character such as the one portrayed by George E. Stone been seen on the screen. No pity or respect whatever is felt for him since the things that he does are unforgivable. For instance, he robs poor people of their money by selling them stocks in fake companies, inducing them by persuasion and lies to invest their life savings with him, his intention being to walk out on them. Another miserable act on his part is to fix the books so as to make Phillips Holmes, an honest person, shoulder all the blame for his manipulations, leaving Holmes to face arrest and imprisonment. And even his attempt to win Fay Wray away from Holmes is despicable. How can one be expected to follow with any sympathy the doings of such a character? The situation in which Fay Wray, through physical allure, puts Stone in the hands of the police is disgusting:—

Stone, starting as a bootblack, builds up a fortune by running a gambling den. He becomes a stock broker in New York and attains a position of affluence. In a speak-easy one night he notices Fay Wray and is attracted by her. He is enraged when both she and her sweetheart, Phillips Holmes, spurn his offer of champagne. An investigation is started against Stone and he leaves America for England. Phillips Holmes is a passenger on the same boat; he was leaving for England since he did not want to marry Fay because of her wealth; he wanted to make a fortune by himself. Stone picks up an acquaintance with him by warning him against card sharks. He offers Holmes a position in his brokerage office which Holmes accepts. Stone buys up some worthless property and then sells stock to his victims, telling them there is oil on the property. A powerful newspaper editor starts a campaign against Stone. In order to cover himself Stone brings a libel suit and on the day of the trial oil is suddenly found on the property. Fay arrives in England to visit Holmes. Stone attempts to make love to her and she spurns him. Furious, he changes the books so as to make it appear that Holmes is in charge and then he leaves the country. Holmes is arrested, and Stone is safe in a state from which he cannot be extradited. Fay visits him and make him believe she wants him to be with her at her home. He goes in her car and when they pass the border line the police arrest him. Holmes is released and he and Fay are united.

The plot was adapted from a story by Sy Bartlett. It was directed by George Archainbaud. In the cast are Minna Gombell, Lillian Bond, Sam Hardy, Lucien Littlefield, and others.

Not suitable for children, adolescents, or for Sundays.

**"Professional Sweetheart" with Ginger  
Rogers and Norman Foster**  
(RKO, June 16; running time, 71½ min.)

A fair program comedy. The story is simple and even silly at times, but it is amusing because it burlesques radio and shows how, with the proper publicity, myths are built up about the performers that are directly in contrast to their real natures. For instance, Ginger Rogers is known the country over as "The Purity Girl," the type that does not drink, smoke or go to night clubs. But she is just the opposite of that for she wants to do just those things but is forbidden to do so by her sponsor. Zasu Pitts, as a newspaper reporter, provokes hearty laughter by her interest in the life and romance of Ginger. Comedy is aroused, too, by the rivalry between Gregory Ratoff and Edgar Kennedy, because of their radio advertising hours:—

Ginger Rogers, singer on Gregory Ratoff's Ippsie-Wippie Wash Cloth Radio Hour, is known as the "Purity Girl." She tells Ratoff that she will rebel unless she is permitted to have a sweetheart, go to Harlem night clubs, and drink and smoke. Frank McHugh, Ratoff's agent, decides to get a sweetheart for Ginger. He picks out a letter from her fan mail, from Norman Foster, a young man from the Kentucky hills. He is brought to New York and eventually is forced into a marriage with Ginger. This is all done with a tremendous amount of publicity and Ginger is pleased. But Norman had been told by a rival firm that it was all a stunt. Their idea was to have Ginger sign up with them. Instead Norman takes her to his cabin in Kentucky and although she rebels at first she grows to like it and does all the housework. Frank McHugh and the rival firm's

agent find out where she is and hurry there to sign her. While the rival agent is there Norman turns on the radio to the station on which Ginger had formerly sung. He speaks highly of the singer and Ginger, jealous, signs a new contract with the rival firm. Frank signs up Norman and works out his plans so that Norman and Ginger will refuse to go on the air unless they can both be on together. This brings about a merger between the rival firms. Ginger is happy because she is permitted to act as she pleases.

The plot was adapted from a story by Maurine Watkins. It was directed by William Seiter. In the cast are Allen Jenkins, Lucien Littlefield, Franklin Pangborn, Frank Darien, Theresa Harris, and others.

Suitable for children, adolescents, and for Sundays.

**Substitution Facts:** This is replacing 31110 listed on the contract as "Mistress of Moscow," and described in the press sheets as follows: "A timely, gripping story of today and tomorrow's Russia, will bring that exotic new RKO Radio personality, Gwili Andre, to her first starring role in a lavish production made by an ace director." It is a star and theme substitution.

**HAYS' RELIGIOUS INFLUENCE NOW  
BANKRUPT**

If any exhibitor or other person connected with the motion picture industry wanted to know how little Will H. Hays means to the Presbyterian Church, the friendship of which he was expected to keep on account of the fact that he was once a prominent member of it, all he has to do is to read the Columbus, Ohio, papers, and he will be convinced of it. The following is an extract from the Columbus Dispatch of May 27:

"Condemnation of the liquor traffic and of the motion picture industry was voiced by Rev. Harry L. Reed, president of the Auburn seminary, Auburn, N. Y., in his presentation of the report of the committee on social welfare before the 145th General Assembly of the Presbyterian Church in the U. S., Saturday, at Memorial Hall. . . .

"Regarding the motion picture industry, the assembly approved an overture calling for more rigid regulation of the film distribution.

"The overture said: 'We hereby petition the congress of the United States and the federal trade commission for the enactment of legislation for the protection of the public through a free market, a law making illegal compulsory block-booking, and the compulsory blind-booking, whereby undesirable films are forced upon the local exhibitor by the producers and distributors of motion pictures.'

To me, the significant act of the General Assembly of the Presbyterian Church is, not so much the fact that it condemned moving pictures, but the fact that it classed moving pictures with liquor traffic.

That is what the leadership of Will H. Hays has done to the motion picture industry; it has brought disgrace and dishonor upon it. There was a time when a person connected with the motion picture industry was looked up to; he was envied. Today an exhibitor feels ashamed to admit that he is connected with the motion picture industry; he is looked upon in worse light than a saloon keeper.

Why?

Because Hays made promises to the church people that he would allow no dirt in pictures and failed to keep his promises—and failed miserably, for before he invented his Morality Code no one would have dreamed that the time would come when pictures such as "The Story of Temple Drake," founded on a book dealing with degeneracy, would be put into pictures, and when one would hear the dirty expressions one hears in almost every other picture. The Hays morality Code acted as a sort of shield, protecting the dirty, filthy, vile minds of some of the producers in Hollywood while they are carrying on their production work.

**A CORRECTION**

In last week's issue I asked you to send fifteen cents for each set of the articles on block-booking you wanted sent to prominent persons in your community. I overlooked stating that this postage will cover also a set of the six articles, "Ten Years of Will H. Hays," which I printed last year. If you want only the five block-booking articles mailed, you should send only six cents.



F. Myers, of Union Trust Building, Washington, D. C., the general counsel.

The ability of this organization to serve your interests to the fullest extent, however, will depend on how much support you give it.

If you are not a member of Allied States of your zone, authorize Mr. Abram F. Myers to represent you. Frame your power of attorney as follows:

June 1, 1933

Abram F. Myers, General Counsel,  
Allied States Association,  
Union Trust Bldg.,  
Washington, D. C.

Dear Mr. Myers:

I hereby authorize you to represent me in any negotiations you may undertake, as the representative of Allied States Association of Motion Picture Exhibitors, with President Roosevelt, in the adoption of a fair trade practices code for the motion picture industry.

Very sincerely yours,

(Signed) .....

### SOME FACTS ABOUT THE DEFEAT OF THE SIROVICH RESOLUTION

The net result of our unsuccessful efforts to put the Sirovich Resolution for the investigation of the motion picture industry through Congress has been that we have made Congress conscious of the existence of a motion picture problem. Despite the defeat, we have made among the Congressmen many friends, who will stand by us should we revive this question; and we are determined to revive it at the next session of Congress.

The causes for our failure are many but we need mention here but one—the powerful producer lobby. Never in the history of lobbying have those who were to be affected by a measure fought as desperately.

Whatever fault some of those who favor an investigation may find of the way Congressman Sirovich handled the matter, the exhibitors should feel grateful toward him. He did the best he could, but the cards were stacked against him. How stacked these cards were you may gather from what Representative Terry Carpenter, of the Fifth Nebraska District, wrote to Lester Martin, Secretary of Allied Theatre Owners of Iowa and Nebraska, immediately after the rule on the Resolution was defeated:

"During the time of the debate speakers for the Resolution were unable to be heard due to the noise and confusion, which, in my opinion, was prearranged. Even when the President of the United States implied his desire for such an investigation the Congress bolted and aligned itself with the special interests of the motion picture industry. I was the only man in the Nebraska delegation to support the Sirovich Resolution.

"The great concerns of the moving picture industry are rotten and corrupt and it is only through an investigation by Congress that these conditions can be remedied. It is certainly a sorry day for the people of this country when Congress refuses to give the public authoritative information on these things. . . ."

One hundred and fifteen Representatives voted for the Resolution, and two hundred and twenty-seven against it; eighty-three refrained from voting.

Although those who voted against the measure were nearly two to one, the number of the proponents is not so insignificant when one should bear in mind that fifty-seven votes would have changed the result.

Some of the proponents of the measure spoke for it; and of these, some made statements that are astounding. Some of the speeches were not made on the floor because the time allotted to those in favor of the measure was taken up; they were put into the record afterwards.

SABATH (Illinois): "It (Res. 95) provides for the creation of a special committee of seven to investigate the most vicious group of manipulators—yes, racketeers—a group that has destroyed what one time was a legitimate and prosperous . . . industry and that has defrauded and fleeced thousands upon thousands of investors—widows, and orphans, of nearly two thousand millions of dollars; a group that, within the last four weeks, through its hire-

lings and lobbyists, has attempted, and is now attempting to mislead the Members of this House as regards its shameful activities in order to defeat this investigation; a group that, by questionable means—yes, bribery—controls city, State, and even Federal officials; a group that has by corruption forced upon the screen some of the most obscene and crime-breeding pictures; a group that has even debauched our judiciary. This same group has defrauded the Government of millions of dollars and was instrumental in sending an innocent woman to the penitentiary.

" . . . I give notice now that if the resolution should fail to pass, its proponents will by no means cease their efforts to force action; so regardless of what the outcome will be today, I am certain that eventually the House will vote for investigation."

SIROVICH (New York): "An astounding revelation regarding these bonuses (paid to five producers) is the fact that they have not been revealed to the stockholders in the reports made at annual meetings or in published balance and earning sheets." "The practice of these big producers through motion picture producers and distributors in contributing large sums of money to certain organizations of alleged independent exhibitors in order to create the impression that there is a division in the . . . independent ranks in the matter of industry reforms." "Mr. Speaker, I have but scratched the surface of the great corruption that exists in the motion-picture industry today—corruption that will make the Tea Pot Dome investigation appear like a mere tempest in a teapot. The innocent holders of stocks and bonds of these looted companies that I have mentioned are crying aloud for justice. . . . In the name of innocent investors \* \* \* I appeal to the membership of this house to pass my resolution calling for a complete and thorough investigation of the whole motion picture industry, with the object of righting the great wrong, making restitution, if possible, to its now destitute financial victims, drive the looters from their executive offices, punish the guilty, and once and for all make an exemplary lesson to all future manipulators that the Government will not tolerate financial racketeers, masquerading as honest men, who through fraudulent representation and manipulation have diverted billions entrusted to them by widows, orphans, and small estates. . . ."

KRAMER (California): "Does the gentleman (Mr. Cox) know that this investigation would make the never-to-be-forgotten Teapot Dome oil scandal look like a backyard chicken stealing?"

BUSBY: "I know their (the lobbyists') game; and if you knew their game you would vote for this resolution. You would not sidetrack it and pocket it down in the Department of Justice or the Federal Trade Commission or some other department that might be controlled by these big-salaried interests."

O'CONNOR (New York): "There is an effort here apparently to defeat this measure first by disorder and secondly by ridicule. I charge, and I shall be glad to support an investigation to prove my charges, that there is now lobbying on the floor of this House not only by ex-Members of Congress but by employees of the House. \* \* \* This is a contest between a lobby and a committee of the House."

PATMAN (Texas—after the defeat of the rule, announcing that he would introduce a resolution the following Monday for an investigation by the Department of Justice): "I do not want this investigation to be made by the Federal Trade Commission. The Federal Trade Commission made a substantial contribution towards the organization of this trust. If I had the time, I could convince you that the Federal Trade Commission has organized many trusts; that it has assisted monopoly and not the people. Certainly it is not going to do anything against the trusts when it is in the trust-organizing business. . . . The Sirovich resolution did not propose an investigation of the charge that no bona fide effort is being made to censor screen material and that pictures are exhibited that are indecent and otherwise unfit for public display; nor the fact that the Motion Picture Producers and Distributors of America, Inc., of which Will H. Hays is president, is primarily a political organization and, although a public-service industry, is attempting to unduly influence public opinion by misleading propaganda."

(To be continued)



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## FOX SUBSTITUTIONS FOR THE CURRENT SEASON

Lately I have been receiving from exhibitors many letters asking me to inform them (1) which of the Fox pictures are substitutions, and (2) whether they are under an obligation to play substitute pictures.

As to the first question, let me say that at the bottom of the review of every Fox picture I insert a footnote explaining whether that particular picture is or is not a substitution. I am carrying out the same procedure with the pictures of all other major film companies. As to the second question, let me again say that this matter was treated in these columns twice before this season. For the convenience of those of the HARRISON'S REPORTS' subscribers who show Fox pictures, however, I am recapitulating all the Fox substitutions as well as what I said about the rights of exhibitors to reject such pictures, adding whatever new information I have been able to obtain, and giving a more thorough interpretation of the special clause, so that every Fox customer may know what are exactly his rights.

The right of an exhibitor to reject substitutions of any kind is unquestionable, because the article delivered to the contract holder is not the article sold him. But in the case of the Fox contracts the matter is somewhat complicated by the insertion in them of a clause by which the Fox Film Corporation attempts to reserve for itself the right of substitution in some respects. This clause reads as follows:

"It is understood and agreed that, except in such cases where a definite published book, or play, is designated in this schedule and/or in any work sheet and/or in any particular trade announcement or advertisement, the Distributor reserves the right to change the title, story, cast and/or director of any photoplay contracted for hereunder, it being understood that all such designations, except for such published book, or play, are tentative and subject to change, without notice."

As I told you two or three times before, it is my opinion that the Fox contract, because of this provision, is not worth the paper it is written on, and that a court of equity would reject it in case an exhibitor appealed to such a court for relief. But in the discussion of the following pictures, I shall assume for the moment that this clause is legal.

"Hot Pepper": This picture is being delivered for "What Price Glory." But "What Price Glory" was to have been founded on the well known stage play by Lawrence Stallings and Maxwell Anderson, whereas "Hot Pepper" has been founded on a story by Dudley Nichols. Consequently it is a "play" substitution, and since the special clause does not give Fox the right to substitute plays you are not under any obligation to accept it.

"Adorable": This picture is being offered in the place of "Broken Blossoms." But "Broken Blossoms" was to have been founded on Thomas Burke's "published" Limehouse Nights series story "The Chink and the Child," whereas "Adorable" has been founded on a story by Paul Frank and Billy Wiley. Consequently it is a "published book" substitution and since the special clause does not grant Fox the right to make such substitutions you are under no obligation to accept it. It is unlikely, however, that any one of you will reject "Adorable" for being a substitution since it is a Janet Gaynor picture and no one can afford to reject a picture with this star. But here is where the "rub" comes in: "Precious," which is No. 1 on the contract, was sold with Janet Gaynor and Charles Farrell. But Fox is delivering in its place "I Loved You Wednesday," with Warner Baxter. Now, if you should accept "Adorable" in place of "Broken Blossoms," Fox will, no doubt, assert that it has delivered to you the one Gaynor picture you bought on the 1932-33 contract. If so,

then you will have paid for "I Loved You Wednesday" what you paid for "Broken Blossoms."

Get this clear into your mind: In buying "Precious" and "Broken Blossoms," you bought two high-priced pictures; but Fox is delivering one high-priced and one low-priced—"Adorable" and "I Loved You Wednesday."

Why didn't Fox deliver "Adorable" for "Precious" instead of for "Broken Blossoms," and "I Loved You Wednesday" for "Broken Blossoms" instead of for "Precious"? Because, although this would have been the natural thing to do, and there would be only one substitution instead of two, the Fox executives could not practice "juggling"; with "Adorable" delivered as a Gaynor picture you lose your right to "Precious" without receiving a refund for the difference between what "I loved You Wednesday" should be worth and the price you were induced to pay for "Broken Blossom."

"I Loved You Wednesday": This picture is being offered in place of, as said, "Precious." But "Precious" was sold with Janet Gaynor and Charles Farrell, whereas "I Loved You Wednesday" is delivered with Warner Baxter. Fox cannot invoke the clause discussed in this editorial, because there is no provision in it giving it the right to change stars, or featured players; it specifies only "cast." For this reason you are under no obligation to accept it.

"Hold Me Tight": This picture is being delivered in place of "Checkers" (14). But according to the contract, "Checkers" was to have been founded on the play by Henry M. Blossom, produced many years ago, whereas "Hold Me Tight" has been founded on a story by Gertrude Rigdon. For this reason you are under no obligation whatever to accept it, for it is a play substitution and plays cannot be substituted.

"Sailor's Luck": This picture is being delivered in the place of "Shanghai Madness" (18). But "Shanghai Madness" was to have been founded, as the contract states, on the "published story" by Frederick Hazlett Brennan, and "published books" cannot be substituted. The only question is whether a "published story" is a "published book." In my opinion, it is, and if the Fox executives should ever take any exhibitor to court on the ground that it is not, they would, I am sure, be laughed out of court.

"Handle with Care" is, of course, a star substitution, as I informed you in the issue of March 11, by reason of the fact that "Divided by Two" (15), for which it is delivered, was to feature the Chaplin children, and these children do not appear in it. The fact that they were barred from appearance in the picture by the courts does not give the Fox Film Corporation the right to substitute other stars, and to force you to accept the picture.

"Pleasure Cruise" is another picture you are not under an obligation to accept, by reason of the fact that No. 20, for which it is being delivered, was to feature Tracy, but Tracy does not appear in the finished picture. It is a substitution of a featured player and since the special clause does not give the Fox Film Corporation the right to substitute featured players you are under no obligation to accept "Pleasure Cruise." The picture is so demoralizing that none of those of you who have your theatres in small towns can show it. The story shows a husband suspecting the fidelity of his wife, following her secretly on the boat she was taking a cruise on, and managing to enter her cabin at night and having sexual relations with her while all the time she was believing that it was the young man whom she had met on the boat and whose proposals for intimate relationship she had accepted. If the Fox Film Corporation should attempt to force you to show it irrespective of your rights in the matter, enlist the aid of your ministers, priests

(Continued on last page)



**"Ann Carver's Profession" with Fay Wray and Gene Raymond**

(Columbia, May 26; running time, 68 min.)

Fairly good adult entertainment. Although the story does not present a novel theme, yet, because of the intelligent way it has been handled and the good performance by Fay Wray, it holds the interest throughout. Several of the situations are quite dramatic, particularly the closing scenes in which the heroine, a lawyer, defends her own husband who is on trial on a murder charge. Considerable sympathy is felt for her throughout even though in her pursuit for fame she overlooks her wifely duties. The hero, too, arouses sympathy, in spite of the fact that he leaves the heroine and lives with a common woman, because one is made to feel that he had not stopped loving her and had left only because of his pride:—

The heroine, a lawyer, and the hero, an architect, are married. She does not practice law because she wants nothing to interfere with her marriage. At a reception given by a Judge she makes some brilliant comments on a case of his and he becomes interested in her. When he learns that she is a lawyer, he offers her a position in his law office which she gladly accepts. Her excellent work attracts much attention and she revels in the publicity she receives. She is kept so busy that she has little time for the hero. The hero's pride is hurt because of this and also because she foots the bills for their expensive apartment and for the servants. She is away on an important case and he goes to a speakeasy. He meets a friend there and after coaxing accepts a position as a crooner because of the money it offers. The heroine is horrified when she hears of it. One night at the club she insults the hero by throwing change at him. He leaves her and no amount of pleading on her part can make him see her. He lives with a girl from the club who is always in a drunken state. One night this woman becomes so drunk that she falls against the fireplace, striking her head and slipping down; her necklace is caught on the andiron and she is strangled to death. The hero is arrested on a charge of murder. The heroine defends him and to offset the unjust accusations against the hero by the District Attorney, she bares her heart to the jury telling them about her unhappiness and her neglect of the hero; he is freed. She gives up the practice of law again to live a simple life with the hero.

The plot was adapted from a story by Robert Riskin. It was directed by Eddie Buzzell. In the cast are Claire Dodd, Arthur Pierson, Claude Gillingwater, Frank Albertson and others.

Not for children, adolescents, or for Sundays.

**"The Silk Express" with Neil Hamilton, Guy Kibbee and Sheila Terry**

(Warner Bros., June 10; running time, 61 min.)

A fair murder melodrama of the program grade. It manages to hold one's interest fairly undiminished up to the last scenes, by reason of the fact that the identity of the murderer is kept in the dark up to that time. Ninety-five per cent of the action unfolds on board an express train, transporting a shipment of silk from Seattle to New York. The idea back of the story is in short this:

Certain racketeers, having learned that there was a great demand for silk, corner the market, sending the price of silk sky-high. The hero, having been informed of the trickery of these men, sends for

their leader and informs him that, unless he were willing to make an agreement with him to sell his firm silk at reasonable prices, he would cable to Japan for a shipment, which could reach Seattle in ten days, and New York seventy-three hours later. The racketeer, thinking that the hero was merely bluffing, refuses to be frightened; thereupon the hero cables to Japan this order. From that time on the gangster lays plans to destroy the train, or at least to delay it so that, if the shipment arrived in New York, it would have been too late, ruining the hero on account of his inability to fill the orders.

The hero telegraphs for the best transportation attorney to meet him in Seattle, and there he explains to him the reason for this unusual request—he wanted the attorney to take such legal steps as would be necessary to prevent any delay to the express train in case the gangster resorted to legal methods.

On board the train two murders occur and suspicion points to almost everyone connected with the hero's staff. The train is stopped several times on the way but the hero eventually manages to reach New York on time.

There is some excitement on board the train because of the murders but it is not strong enough. There is a woman in the case, but there is no love affair; one is implied when the woman, upon parting from the hero, promises to call on him again after taking her father to the Rockefeller institute to have him cured of a growing paralysis.

Houston Branch wrote the story. Ray Enright directed it. Some others in the supporting cast are, Arthur Byron, Dudley Diggs, Allen Jenkins, Harold Huber, Arthur Hohl.

Not objectionable for children, adolescents, or Sunday showing. There are no sex implications in it, although the material is not very edifying.

**"A Shriek in the Night" with Ginger Rogers and Lyle Talbot**

(Allied Pictures; running time, 66 min.)

Just a moderately entertaining program murder melodrama; the plot is illogical at times. It has the usual amount of spooky situations, and a few laughs which are brought about by a frightened maid. However, it has a demoralizing effect for it shows very clearly a new method of how to murder people. This method is not shown until almost the closing scenes, and, therefore, the audience is held in fairly tense suspense throughout. The situation in which the villain attempts to murder the heroine by throwing her into an incinerator is horrible:—

While investigating the death of a well known man, the inspector questions the heroine, this man's secretary. He learns that she is a newspaper girl, assigned to watch this man, but she knew nothing about the murder. Her sweetheart, a reporter on another paper, steals her story and prints it in his paper. This makes her angry, particularly when she loses her position, but they soon become reconciled. She begs the inspector to permit her to remain in the apartment for the purposes of investigation. He consents, but when she receives a threatening letter the hero decides to stay there with her. The villain, fearing that the heroine knew too much, attempts to kill her by throwing her into an incinerator but she is saved by the blundering assistant to the inspector. It is finally uncovered that the janitor of the apartment house was the murderer, his motive being revenge. The heroine is offered her



position back on the paper but she refuses; she decides to marry the hero.

The plot was adapted from a story by Kurt Kempler. It was directed by Albert Ray. In the cast are Harvey Clark, Purnell Pratt, Arthur Hoyt.

Not for children, adolescents, or for Sundays.

**"Jennie Gerhardt" with Sylvia Sidney and Donald Cook**

(Paramount, June 16; running time, 85 min.)

Resembling in some respects "Back Street," this is fairly interesting adult entertainment, which will be enjoyed most by women; it moves somewhat slowly at times. However, it does not have the deep human appeal of "Back Street," because the characters are not as sympathetic. For instance, the hero is in a position to marry the heroine, but he does not do so; one feels he is not man enough to buck up against his family. And then, after having lived with her for a number of years, he deserts her to marry another woman of social standing who would bring him back into the good graces of his family. Deep sympathy is felt for the heroine because of the suffering she is put to first by the death of her child's father, then by her separation from the hero, and last and most horrible the death of her child:—

The heroine, while scrubbing floors with her mother at a fashionable hotel, attracts the attention of a well known Senator. He becomes friendly and takes her out on several occasions. Her father finds out about this through the gossiping neighbors and orders the man from the house and forbids the heroine to see him. When her brother is arrested she goes to the Senator for help and stays with him. The heroine sees him off to Washington and he tells her they will be married as soon as he returns. But he never returns for he meets with an accident and is killed. The heroine is ordered out of her home when her father learns she is going to have a baby. She goes to live with a cousin and after the baby is born she seeks employment and is engaged as a maid in a wealthy household. The hero, younger son of the house, is infatuated with her and induces her to live with him. After a time his father forbids him to see the heroine; they quarrel and the hero leaves his position. He travels with the heroine in Europe but is restless. He meets a former flame, who is now a widow, and she stimulates him. The heroine sees she is in his way and tells him she is leaving him. At first he refuses to let her do so but then he consents. She goes back to America and her life is wrapped up in her child. The girl graduates college and shortly afterwards becomes ill and dies. The heroine is completely broken. The hero visits her and tells her he really loves her but that their separation was necessary. The years roll by and the heroine watches the progress of the hero's career with joy. The hero sends for the heroine when he is stricken ill; he dies in her arms.

The plot was adapted from the novel by Theodore Dreiser. It was directed by Marion Gering. In the cast are Donald Cook, Mary Astor, H. B. Warner, Edward Arnold, Louise Carter, Dorothy Libaire, and others.

Not for children, adolescents, or for Sundays.

**ADDITIONAL FACTS ON FOX SUBSTITUTIONS**

After finishing the analysis of the Fox substitutions and having the editorial pages printed, I found it necessary to convey to you additional informa-

tion, so as to make your position even stronger.

"Precious" was boosted to the limit last year; there was in the Fox printed matter a two-page spread, which naturally led you to believe that "Precious" would be a big picture, and which just as naturally induced you to pay a big price for it. Now Fox is failing to deliver "Precious."

Here is another fact: In the announcement that appeared in the trade papers, "What Price Glory" was advertised by two full pages. In the one page there were the names of Spencer Tracy, Ralph Bellamy, and El Brendel, and on the opposite page there was the following wording:

"Brand new from first hilarious frame to final uproarious fadeout. A new and cockier Flagg and Quirt. New cock-eyed gags. New knockout dames . . . plenty of them. NEW RECORDS (Ed. note: The capitals are theirs)—as these frolicking, flirting fools convulse the nation with the belly-laugh of the century.—Based on the play 'What Price Glory' by Maxwell Anderson and Lawrence Stallings."

For this picture, which was to show the three players "frolicking, flirting, fighting fools," convulsing "the nation with belly-laugh of the century," Kent has delivered "Hot Pepper."

And you were led to believe that Sidney R. Kent would install better business methods as President of Fox Film Corporation.

You are entitled to a refund for having accepted "Hot Pepper" in place of "What Price Glory," simply because you would not, I am sure, have paid as much for "Hot Pepper," had it been sold to you originally, as you were induced by this fine advertisement to pay for "What Price Glory."

In discussing the juggling of "Adorable," "Broken Blossoms," and "I Loved You Wednesday," I failed to mention the fact that, although Fox is giving you Warner Baxter with "I Loved You Wednesday," its new executives are not giving you any the best of it, for in the Annual Fox announcement, inserted in the trade papers, you were promised three Baxters—"Desert Flame," "Kiss of Courage," and "Trick For Trick"; they are delivering to you three—"Six Hours to Live," well produced but unsuccessful at the box office, "Dangerously Yours," unsuccessful because of weak story material, and "I Loved You Wednesday," which, according to reliable information, is only a fair program picture. For this reason you are charged for an ordinary program picture (whatever should have been delivered for "Precious" after figuring "I Loved You Wednesday" as the third Baxter picture) the price you paid for "Broken Blossoms." Is there any justice in the picture industry?

In an interview with Eric M. Knight, critic of the Philadelphia *Public Ledger*, Sidney Kent said among other things: "You hear groans and sighs against the block-booking system—by which a producer signs a movie theatre man up to take product in mass. Why, it is the finest system we have."

Of course block-booking is good—for Sidney R. Kent, when he has ordinary material to sell; but when he has a good picture to sell, he is a deadly enemy to block-booking. "State Fair" furnishes an example. Instead of delivering this picture for either "Broken Blossoms" or "What Price Glory," he saw fit to give you junk in place of these pictures and sell you "State Fair" "antiblock-bookingly."

I wonder what explanation he can give to the exhibitors to justify his talking in favor of block-booking but acting against it?



or rabbis to help you avoid showing it. Request them to write to Sidney R. Kent, President of Fox Film Corporation, insisting that he refrain from forcing you to show this picture. Kent expressed so much solicitude for the "little fellow" at conventions and elsewhere that certainly he will not want to put you in bad light with the people of your community. You should suggest to them to write also to Will H. Hays, on the ground that the picture is indecent, and indecency in pictures violates his Morality Code.

"Bondage": This picture is being delivered for "Whirlwind Romeo" (28). But according to the contract "Whirlwind Romeo" was to have been founded on the novel "Alcatraz," by Max Brand, and since "Bondage" has been founded on the novel by Grace Teake it is a story substitution and you are not obligated to accept it. Those of you who have your theatres in small towns and whose trade is particular as to what kind of pictures you show will not be able to show it anyway, for it deals with young girls who err, and who go to a maternity hospital to have their children delivered. While it does no harm to sophisticated adults, it is not a picture for the family. If the Fox exchange should attempt to force you to play it despite your right to reject it, adopt the same procedure as that which I have suggested about "Pleasure Cruise."

"It's Great to Be Alive": This picture is being delivered for "Inside Story" (20). But "Inside Story" was to have been founded on the George Bryant and Francis M. Verdi play of the same name, which was produced at the National Theatre, New York, on March 1, 1932, whereas "It's Great to Be Alive" has been founded on a story by John D. Swain. Since it is a substitution of a well known play you will not be compelled to accept it, because the special clause exempts the substitution of plays.

"Zoo in Budapest": This picture is being delivered in place of "Desert Flame." But "Desert Flame" was to have been founded on the play "L'Insoumise," by Pierre Frondale, whereas "Zoo in Budapest" has been founded on a story by Melville Baker and Jack Kirkland. Since it is a play substitution, you are under no obligation to accept it.

"Five Cents a Glass": This picture is being offered in place of No. 40 on the contract, designated as an "Untitled Lowe," and was to feature Edmund Lowe. But since the finished product does not feature Edmund Lowe, it is a "feature player" substitution and you are not under any obligation to accept it, for the Special Clause does not contain any provision granting Fox the right to substitute featured players. Its title is "terrible."

"Second Hand Wife": This was offered in place of "Okay" (12.) But "Okay" was, according to the contract, to feature James Dunn and Sally Eilers, whereas James Dunn does not appear in "Second Hand Wife." It is, therefore, a star substitution and you are not under any obligation to accept it.

"The Man Who Dared": This picture will be delivered for "Bought on Time" (33). But "Bought on Time" was to feature, according to the contract, Joan Bennett, whereas "The Man Who Dared" is featuring Zita Johann. It is a featured player substitution and you are under no obligation to accept it. Joan Bennett means something to your box office, whereas the public has not yet become well acquainted with Zita Johann.

"F. P. I.": This picture is being delivered in place of "Red Dancer," (29). But according to the contract "Red Dancer" was to have been founded on the play by Viktor Kelemen, whereas "F. P. I." has been founded on the novel by Walter Reich and Kurt Siodmak. It is therefore, a play substitution and since the special clause does not grant Fox the right to substitute plays you are under no obligation to accept it. Even if you were inclined to overlook the fact that the picture is a substitution, the title is so terrible that Fox should pay you to run it, instead of your having to pay Fox anything for it.

I have discussed these pictures with the assumption that the special clause in the Fox contract is legal. But, although I am not a lawyer, I do not concede the legality of this clause, and feel that any court of equity will reject the claims of the Fox representatives if they should be foolish enough to resort to such a court for its enforcement. Any fair-minded judge will see that there is no equity in this contract (in any company's contract, for that matter). Accordingly, I believe that you have the right to reject also the following pictures:

"Arizona to Broadway": This picture is being delivered for "Apartment House Love" (23). But "Apartment House Love" was to have been founded on the story "Elegant Arms," by Whitney Bolton, whereas "Arizona to Broadway" has been founded on a story by William Con-

selman and Hewy Johnson. Since it is a story substitution you are under no obligation to accept it.

"The Devil's In Love": This picture is being delivered in place of "Bad Boy" (4). But "Bad Boy" was to have been founded on a story by Vina and Eugene Delmar, whereas "The Devil's In Love" has been founded on a story by Harry Harvey. It is a story substitution and you are not, in my opinion, under any obligation to accept it.

These are all the Fox substitutions.

Many of you will, no doubt, be surprised at the number of substitutions in this company's 1932-33 pictures when you bring back to your mind the statement made at the beginning of the season by Sidney R. Kent that he favored the policy of marking the "goods" for identification purposes. It seems to be the same policy Jimmy Grainger had in effect during the time he was general sales manager. You remember, I am sure, that Jimmy Grainger would almost rather cross two non-substitute pictures and make each a substitution than deliver them as they were and avoid trouble for himself and his company. No one could understand why he did it but that was his policy. In one year there were twenty-nine substitutions out of fifty-two pictures, the entire season's product. It seems as if Kent is following in Grainger's footsteps.

As far as you are concerned, you are under no obligation to support a policy that will perpetuate junk-dealer sales tactics.

## NEWSPAPER PUBLISHERS INDIGNANT AT THE "FILTH" IN MANY ADVERTISEMENT COPIES

Many newspaper publishers are up in arms against the filth inserted in advertisements and some of them have started a movement with a view to inducing every newspaper publisher to reject such advertisements. Moving picture advertisements are included in this campaign.

Part of a letter received from the secretary of a prominent newspaper publishers' organization, a copy of which he is sending to other secretaries, reads as follows:

"I feel it is about time to bring to the attention of . . . Publishers the growing disregard of decency in the advertising columns of newspapers. . . .

"As a general practice, publishers observe certain rules in maintaining cleanliness in the news and editorial columns. Clippings herewith, taken at random from various newspapers, put the newspapers in the class of the old 'Police Gazette.' . . .

"Is it proper that we should subject our readers, especially the growing children, impressionable adolescents, to indecent advertising? Haven't advertisers gone entirely too far in calling upon unscrupulous imaginations for copy and illustration such as is now appearing in newspapers? . . .

"Shall it be necessary for church leaders or other right-minded citizens to agitate for advertising censorship, or shall publishers meet their responsibility and insist upon advertisers providing clean, fair copy? . . .

"What do the publishers propose doing about it?"

In the lithographed proofs sent along with the letter there are contained advertisements for the following pictures:

"So This Is Africa": The wording says: "The Most Sensational Lafliter of Their Clowning Careers."

"Goona Goona": The bust of a woman with her protruding breast is shown.

"What Price Decency": "A sensational love drama of alluring women in a world where today's passion is tomorrow's reckoning. A drama of naked life—stripped of its frills and flipperies; life shorn of its illusions and bared to the very soul."

"Frisco Jenny": Too much of a woman to lead a one man life—Chatterton in a role that fits her like black silk tights: . . . taking her happiness in one-night stands. . . . Incidentally "Frisco Jenny" is, despite the lure of sex, bore-some.

"India Speaks": The reading matter says: "India! . . . Mother of Ten Thousand Sins!" The pictorial matter shows a nude woman, with only her loins covered, lying on her back.

"The Story of Temple Drake": The reading matter says: "Gossip, Scandal, Shame!" . . . "I, Temple Drake, am guilty of love! . . . I don't dare marry, I can't trust myself! . . . I've done the things no self-respecting girl would dream of doing! . . . Don't condemn me, don't despise me until you hear my story!—William Faulkner's Sensational story."

What has become of the Hays code of advertising ethics? I suppose what has happened to his morality code.



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, JUNE 24, 1933

No. 25

## ALL OTHER SUBSTITUTIONS

### Columbia

**PAROLE GIRL (3017):** This picture is delivered in place of "East of Fifth Avenue." But "East of Fifth Avenue" was to have been based, according to the work sheet, on a story by Fannie Hurst, whereas "Parole Girl" has been based on a story by Norman Krasna. For this reason it is a story substitution and no Columbia contract holder is under an obligation to accept it. This information comes, I am sure, too late for some exhibitors to take advantage of it, but at the time I reviewed this picture it had not yet been decided where to place it in the contract and I could not make a comparison with "East of Fifth Avenue."

**COCKTAIL HOUR (3021):** This is offered in place of "Pearls and Emeralds." But according to the work sheet "Pearls and Emeralds" was to have been founded on a story published in the *True Story Magazine*, "read by 2,000,000," and since the plot of "Cocktail Hour" has been taken from a story by James K. McGuinness it is a story substitution and you are under no obligation to accept it. An additional reason why you are not compelled to accept it is the fact that the McGuinness story has not been read by 2,000,000, as is the promise made in the case of the *True Story Magazine*; therefore, Columbia is not living up to the specifications. If it should make any attempt to force you to accept it, its executives might find themselves in trouble with the post office authorities in case any of you received the work sheet through the mails.

### First National

There are no substitutions in this company's pictures this season.

### Fox

In last week's issue I made a complete analysis of this company's pictures. But I want to add a few more remarks, for the more I think over the matter the more I realize the graveness of the injustice done to you in the matter of "What Price Glory?" "Broken Blossoms," and "Precious."

Let me once again discuss "Precious": This picture was advertised in the trade papers by a two-page spread. Here is some of the wording used in an effort to make you believe what a great picture it would be:

"Janet Gaynor-Charles Farrell—The Team That Has Never Failed You. Dwarfing All Past Achievements in 'Precious.' The screen's supreme sweethearts. Janet . . . sparkling soul of loveliness. Charlie . . . ideal of every girl. Truly an appealing combination—dearer than ever. Speedier than **SUNNY SIDE UP**; more romantic than **MERELY MARY ANN**; sweeter than **SEVENTH HEAVEN**; more lovable than **DELICIOUS**." And for all this they have delivered "I Loved You Wednesday," a mediocre entertainment.

In the matter of "What Price Glory?" the injustice is still greater, for this picture was to have been founded on a stage play that made a great hit when it played in New York, and the silent version of the picture had a run of six months at roadshow prices in this city. You were made to pay a big price for it, and you received in its place "Hot Pepper."

You are entitled to a refund in the case of "Precious," as long as Kent insists on delivering "I Loved You Wednesday" in its place, and in the case of "What Price Glory?"

### Metro-Goldwyn-Mayer

Since Metro-Goldwyn-Mayer sold only production numbers, to be acted by definite players, it has no substitutions this year.

The reason why they did not give any facts as to story, book or play on the contract or the work sheet is their extreme egotism and their intent to make it impossible for you to reject a picture on substitution grounds. But their

product during the 1932-33 season turned out to be so poor that their egotism will not help them to sell numbers another season. The poor quality of the MGM product this time serves also to prove to you how dangerous it is to determine the prices you should pay by a company's past performances. In this business "past performances" do not seem to mean very much; a studio executive resigns and the quality of that company's pictures either improves or becomes very bad.

### Paramount

Paramount did not sell even numbers; it just promised to deliver to the contract holders a maximum number of pictures. For this reason there are no substitutions in this company's product.

### RKO

This company announced several books, plays or magazine stories in the trade papers, well enough, but although it used the titles of these, it did not give any description either in the contract or the work sheet. For this reason it is difficult to pin down substitutions. The following are the only ones that I was able to "capture":

**MAN HUNT (31154):** This picture is delivered for "The Faithful Are Forgotten." But "The Faithful Are Forgotten" was to have been founded on the Wallace Irwin novel "Lew Tyler's Wives," and since "Man Hunt" has been founded on a story by Leonard Perkins and Sam Mintz it is a story substitution and you are not obligated to accept it.

**CHRISTOPHER STRONG (31149):** This is taking the place of "Nurse Smith," which was to have been founded on a story by Carey Wilson, and since "Christopher Strong" has been founded on a story by Gilbert Frankau it is a story substitution and a contract holder is not compelled to accept it.

**PROFESSIONAL SWEETHEART (31110):** This is replacing "Mistress of Moscow." According to the trade paper notices "Mistress of Moscow" was to be "A timely gripping story of today and tomorrow's Russia, which will bring that exotic new RKO Radio personality, Gwili Andre, to her first starring role . . ." and since "Professional Sweetheart" is not a story of Russia, and does not feature Gwili Andre, it is a star and theme substitution, which you are not obliged to accept.

### United Artists

There are no substitutions in this company's product this time.

### Universal

This company has a clause in its contracts calling for arbitration of substitutions. If the exhibitor feels that the substitute is not as good as would have been the picture that would have been produced from the story, book or play originally sold, but Universal asserts that it is as good, then the exhibitor has the right to demand arbitration so that the facts may be determined. In such an event, the arbitration board must take into consideration also whether the theme upon which the substitute picture had been based is or is not suitable for that exhibitor's customers.

The following pictures are substitutes:

**NAGANA:** Since I could not obtain a copy of Wong Wesley's story "Pagan River" I cannot say whether the story of "Nagana" is better or worse.

**PRIVATE JONES:** This is taking the place of "Broken Dreams of Hollywood." Since no copy of "Broken Dreams of Hollywood" is available it is impossible to determine whether the story material is better or worse than that of "Private Jones."

(Continued on last page)



### **"Mayor of Hell" with James Cagney and Madge Evans**

(Warner Bros., June 24; running time, 88 min.)

Deeply appealing. The story is an indictment against the inhuman system of punishment and the poor care given to young boys in reformatory schools, and although brutal in some of its situations it is realistic and touching at all times. One feels much sympathy for the boys, who are forced to eat bad food and to suffer many humiliations; one is made to feel that with some consideration they might turn into good citizens. A scene that will bring tears to one's eyes is that in which the boys mourn over the death of their companion; the Superintendent had put the boy in a cold cell even though he knew that he was suffering from a bad cough. The chaos and brutal sullenness of the boys, which follow, are understandable. This is different from other Cagney pictures; Mr. Cagney does not dominate the picture, for here the story is more important than the star. As a matter of fact the real honors go to Frankie Darrow, who takes the part of one of the young inmates of the reformatory, for his convincing portrayal of a hard-boiled young boy. Some of the remarks by the boys provoke laughter:—

To a reformatory school, of which Dudley Digges is the Superintendent, are sent Frankie Darrow, leader, and several members of his gang. Frankie is hard and refuses to take orders. For this he receives many beatings. The food is so bad that the boys cannot eat it and go to bed hungry. Digges, instead of buying decent food for which he received the proper allowance, was grafting by buying cheap stuff. Cagney, appointed Deputy Commissioner for his good work in getting votes for the party, arrives at the school to make an investigation. He sees some of the brutality. He is attracted by Madge Evans, the nurse of the school, who tells him about Digges' cruelty towards the boys. Through political influence Cagney becomes head of the school and with the help of Madge makes marvelous changes in the system. He establishes a junior republic. The boys, idolizing him, respond to his orders. One night Cagney is called back to his city district to take care of his henchman, who was trying to make himself leader. During the rumpus Cagney shoots the man and then hides out with a pal. He is forced to stay under cover until he can find out whether the man will live or not. Digges finds out about this and immediately takes control, bringing back all his brutal rules, and furnishing the children poor food. Madge is forced to resign. She reaches Cagney and when he hears about the conditions he decides that the boys are more important than his safety. He rushes to the school with her and arrives there to find the place in chaos. The boys had set fire to the building where Digges had taken refuge, for he had been the cause of the death of one of the boys, and the other boys, lead by Frankie, had rioted and were determined to kill him. Digges is killed trying to escape. Cagney pleads with the boys, wins back their belief in him and respect. After an investigation in which the boys are cleared, Cagney and Madge marry and stay on at the school to continue with their good work.

The plot was adapted from a story by Islin Auster. It was directed by Archie Mayo. In the cast are Allen Jenkins, Arthur Byron, Sheila Terry, Robert Barrat, Farina, Harold Huber, Dorothy Peterson, and others.

The opening scenes showing Frankie and his gang stealing and even striking people are objectionable; otherwise suitable for children, adolescents, and for Sundays.

### **"At the Crossroads" with Chic Sale, Preston Foster and Frank Albertson**

(Columbia, June 15; running time, 62 min.)

A very good action melodrama of program grade; it has human interest, too. Because of the chances the hero takes in order to uncover a gang of criminals, who were stealing merchandise from trains, the audience is held in suspense. The most thrilling situations occur in the closing scenes, where the hero and the old railroad engineer, racing in an old engine, overtake the gang's automobile, blocking their passage until police help arrives. Children will be particularly excited during this race. Chic Sale provides his usual type of homely comedy. The romance between the hero and the heroine is pleasant:—

The hero's father, detective for the railroad company, is given two weeks to clear up the mystery of merchandise disappearing from trains. The hero becomes acquainted with the heroine when he prevents her brother and some other boys from having a serious railroad accident. While at the heroine's home he notices in the pile of wood her uncle had brought in for the fire one piece with the name of

a store printed on it; he realizes it must have come from the stolen crate. He decides to take a position with the railroad at that time and begs his father to let him work alone in solving the case. He suspects the foreman, who had been courting the heroine. The criminals find out who the hero is and attempt to kill him but he is saved by the timely appearance of the uncle and the foreman. The hero and the uncle listen in on the conversation of the criminals and discover that they are to rob a train that night of a million dollars' worth of jewelry. The uncle, a former engineer, together with the hero, using an old engine, give chase to the criminals, hoping to block their passage of escape. They finally do so and shoot it out with the men. Things look bad for them until the foreman with some other men, who had rushed after them, arrive and round up the gang. The head of the gang turns out to be the trusted secretary of the railroad president, and the hero realizes that the foreman was innocent. The heroine, however, tells the foreman it is the hero she loves and, although disappointed, he accepts her decision. The hero and the heroine are married.

The plot was adapted from a story by Horace McCoy. It was directed by Lambert Hillyer. In the cast are Diane Sinclair, Jackie Searle, Niles Welch, Eddie Kane, and others.

Suitable for children, adolescents, and for Sundays; particularly good for Saturdays.

### **"Phantom Thunderbolt" with Ken Maynard**

(KBS Tiffany, March 5; running time, 59 min.)

A good program western. It has fast action, good horseback riding, and more comedy than one finds in the usual western. One funny situation is where the hero, misled by his enemies, and mistaking the railroad president and his assistant for bandits, forces them to take off their clothes and to walk into town in their underclothes:—

The hero, believing that if a man has a reputation of being bad he is more apt to be left alone, insists that his pal precede him into town and spread stories about his "wickedness." The town banker asks the hero to rid the county of a certain gang whose unlawfulness gives them a bad reputation, preventing them from having the railroad station in their vicinity. The neighboring town, wanting the railroad station for themselves, had hired the gang to make the trouble. The hero finally rounds up the whole gang, the town gets the railroad station, and the hero settles down there and wins the heroine, first explaining to her that he really was not a bad man.

The plot was adapted from a story by F. Sheldon and Betty Burbridge. It was directed by Alan James. In the cast are Frances Lee, Frank Rice, William Gould, Bob Kortman, and others.

Suitable for children, adolescents, and for Sundays where westerns are shown.

### **"Melody Cruise" with Charles Ruggles**

(RKO, June 2; running time, 74 min.)

A fairly entertaining light comedy with music; the talk at times is suggestive. The tunes are catchy, the settings are good, and one of the dance ensembles, showing the dancers on ice skates, twirling around and getting into different formations, is excellent. Occasionally it slows up and one loses interest. Some of the talk is done in a rhythmic manner, accompanied by music. This is ineffective, because in life people do not converse in such a manner. The attempt of Charles Ruggles to hide his indiscretions from his wife provokes laughter. Most of the action takes place aboard a ship.

Ruggles advises Phil Harris, his pal, not to marry. Phil does not intend to marry and in order to safeguard himself he writes a letter to Ruggles' wife listing all of Ruggles' indiscretions, which Ruggles signs while he is drunk. He writes on the envelope that it is to be opened when he marries. Ruggles is horrified when he comes to and realizes what he had done. He gets Harris out of one affair but then Harris meets Helen Mack and falls in love with her. They want to marry but feel sorry for Ruggles. They go to his wife and she willingly gives them back the letter. They marry and Ruggles and his wife see them off on their honeymoon. On the way back to their home Ruggles comments on the fact that his wife would have laughed if she had read the contents of the letter. She tells him she expects to laugh because she had kept the letter, giving Harris a blank one. Ruggles wilts.

The plot was adapted from a story by Mark Sandrich and Ben Holmes. It was directed by Mark Sandrich. In the cast are Greta Nissen, Marjorie Gateson, Chick Chandler, June Brewster, Shirley Chambers, and others.

Not suitable for children, adolescents, or for Sundays.



### **"It's Great to Be Alive" (No. 21) with Raul Roulien, Gloria Stuart and Edna May Oliver**

(Fox, June 2; running time, 67½ min.)

One of those fantastic silly stories, which one may tolerate now and then if one happens to be in a tolerating mood. It is supposed to be light comedy but it deals with something that is altogether illogical. In the story all men are shown as having died, with the exception of the hero. And the women make much fuss over him when they discover him on a lonely island, where he had found himself when his aeroplane got wrecked. He is put up at auction, the bidders being love-hungry women. His fate promises to be very sad and at the League of Nations he threatens to kill himself unless he is allowed to marry the woman he loved, and from whom he had been estranged because of the fact that he had been too much under the influence of blondes; every time he tried to explain things to his sweetheart he made matters worse, until their engagement was broken.

Raul Roulien can sing fairly well, but he seems to be negative; he lacks magnetism. The fault may be in the story material but he doesn't impress one very much in this picture.

The story is by John D. Swain; the direction by Alfred Werker. In the cast are Herbert Mundin, Joan Marsh, Dorothy Burgess, Emma Dunn and others.

Although it deals with love affairs it is harmless. It may not be so good for children or for Sunday showing, but it is passable for young folk.

This is a substitution. For the facts, see editorial in the June 17 issue.

### **"Corruption" with Evalyn Knapp and Preston S. Foster**

(Hollywood Pictures; running time, 60½ min.)

A political and murder melodrama of program grade. The hero, an opponent of politicians, wins sympathy by his upright stand against the corrupt system, particularly when he is framed and forced to resign from his high position. The plot becomes illogical and somewhat immature at times, especially when the hero walks into the obvious trap set for him. The audience's attention is held fairly tense throughout:—

The hero, as Mayor, refuses to play along with the crooked party that had elected him. They frame him and force him out of office. The heroine, his secretary, stands by him and helps him along in his private practice. One of the crooked politicians, accompanied by a henchman, calls to see him and an argument ensues. They attempt to kill the hero but he forces the gun from the man's hand. Suddenly there is a shot and the politician is killed. The hero is held for the murder. But no bullet is found in the man's body, and several other men, all prominent in politics, are soon found murdered the same way. The mystery is finally solved by the confession of a scientist who had a grievance against politicians; he had killed them by using frozen bullets which did not remain in the body. At the end of the confession he kills the District Attorney in the same manner and then takes poison. The heroine, with the help of a newspaper friend, procures a confession from the man who had framed the hero. The hero is cleared of all the charges and the Governor appoints him state's attorney. The hero and the heroine marry.

The plot was adapted from a story by C. Edwards Roberts, who also directed the picture. In the cast are Charles Delaney, Tully Marshall, Natalie Moorhead, Warner Richmond, Huntley Gordon, Mischa Auer, Jason Robards, and others.

Unsuitable for children, adolescents and for Sundays.

### **"I Loved You Wednesday" with Warner Baxter and Elissa Landi**

(Fox, June 9; running time, 76½ min.)

This picture has been given an excellent production; but it does not provide much in the way of entertainment. It might interest mildly audiences who prefer supposedly smart conversation to action, but the masses will find it dull. It is slow, and the characters do nothing to arouse sympathy; as a matter of fact their actions antagonize the spectator. For instance, the attempt of the heroine's former lover to win back her affections, although he is married, and the heroine's inability to make up her mind whether to follow him or not; and later her willingness to throw over a fine man for her unworthy lover, are not acts that please the spectator. The most interesting part of the picture are the scenes that were actually taken at Boulder Dam; they show how mountains are dynamited and how some of the

other work there is done. The play, from which this has been adapted, was not particularly exciting, and the picture is even duller:—

The heroine, while studying in Paris to become a dancer, has a love affair. Six months later she learns that her lover is a married man and there is a tearful parting. She goes to South America and there meets the hero, an engineer, who falls in love with her, but she refuses his proposal of marriage. She goes back to Paris and she makes a great success, after which she arrives in New York to perform. The hero visits her and they are happy together. She accepts his invitation to take a trip with him on his yacht, and promises to meet him that night for dinner and later for supper. For the first time since their parting her former lover calls on her and seeing him again brings back the ecstasy of their affair. The two men take her out and both court her, but she cannot make up her mind which one she wants. Swept away by the romantic talk of her former lover she decides to go to Europe with him, regardless of the fact that he is still living with his wife. They go to her apartment to pack and the wife, knowing her husband's whims, sends his bags there. In fixing over his bags the heroine finds a picture of the wife in one of them and from the flippant conversation that follows she realizes that to her lover their reunion means absolutely nothing more than another romantic interlude. While he is shaving in another room she rushes out of the apartment. In the foyer she meets the hero who had come there feeling somehow that the heroine would change her mind. He proposes to her again and this time she joyfully accepts him.

The plot was adapted from the play by Molly Ricardel and William Du Bois. It was directed by Henry King and William Cameron Menzies. In the cast are Victor Jory, Miriam Jordan and Laura Hope Crews.

Not suitable for children, adolescents, or for Sundays.

### **SOME FACTS ABOUT THE DEFEAT OF THE SIROVICH RESOLUTION**

(Continued from the issue of June 10)

As said in the issue of June 10, this paper desires to bring to the attention of the exhibitors what was said in Congress by such Congressmen as were for an investigation of the motion picture industry while the rule on the Sirovich Resolution was debated, for two reasons: the one is, to let you know that we have friends in Congress; the other, to let the Congressmen who have supported our efforts know that we are thankful for their support.

PATMAN (Texas—continued): "The Sirovich Resolution did not propose an investigation of the charge that no bona fide effort is being made to censor screen material and that pictures are exhibited that are indecent and otherwise unfit for public display; nor the charge that the Motion Picture Producers and Distributors of America, Inc., of which Will H. Hays is president, is primarily a political organization and, although a public-service industry, is attempting to unduly influence public opinion by misleading propaganda. The first charge in regard to indecent pictures I would especially like to see investigated. These three subjects should properly be investigated by a Congressional Committee in order that the facts may be disclosed in aid of future legislation.

"I insist, however, that all investigations that have for their purpose the punishment of violators of the criminal laws or the antitrust laws where the facts are known should be conducted by a body that is in a position to prosecute such charges. An investigation to determine facts that are not known as a basis for wholesome legislation should properly be made by a Congressional Committee." (Ed. Note: Mr. Patman has already introduced a Resolution in Congress for the investigation of the motion picture industry by the Attorney General.)

KRAMER (California): "... We do not need to authorize loans by the Reconstruction Finance Corporation nor do we need to issue bonds or go to the Treasury to start life blood circulating in the motion-picture industry. We do need, however, to throw a strong white light into many dark corners if we should grant any measure of relief to thousands of swindled security holders and more destitute employees.

"Every form of chicanery has been employed to complete the wrecking of this large industry. Nepotism, salary accounts, expense accounts, juggled accounts, illegal combinations, fraudulent financing, unnecessary receiverships, and bankruptcy, dilatory tactics, and every other abuse which could be practiced on the court, constitute only a partial list of the means used by rapacious wreckers..."

(To be continued)



**THE BIG CAGE:** This is replacing "Laughing Boy." It is a good substitution for the exhibitor, for the material of "Laughing Boy" is putrid.

**DESTINATION UNKNOWN:** This is taking the place of "S. S. San Pedro." It is difficult to determine which of the two story materials is the worse. In my forecast of "S. S. San Pedro" I said that it was necessary to alter the plot so as to add a love story to it, because the book had none; it was the story of the ill-fated S. S. Vestris, which sank several years ago with heavy loss of life.

**LUCKY DOG:** This replaced "Youth Aflame." There is a great jump between a dog story and a story of modern youth. An exhibitor is justified in demanding arbitration for this picture in case the theme in "Lucky Dog" is not what his customers want.

**KISS BEFORE THE MIRROR:** This is replacing "Glamour," a *Cosmopolitan Magazine* story by Edna Ferber. The story material of "Glamour" is the thinnest imaginable; it could not have made a picture. It was an incident from the life of a temperamental actress, unfolding a few days before the opening of a new show. No matter how bad you may think "Kiss Before the Mirror" is, it is not one-half as bad as would have been a picture founded on "Glamour."

### Warner Bros. Pictures

**GIRL MISSING:** In the contract picture No. 415 was promised with Ann Dvorak, but this star does not appear in the finished product; Joan Blondell is the star in it. Although your rights to reject it are unquestionable, Joan Blondell, who is the star in the picture, is in my opinion a far better box office attraction than Ann Dvorak. For this reason you are not the loser by the substitution.

**EX-LADY:** Barbara Stanwyck was promised in the contract and since she does not appear in it the picture is a star substitution and you are not obligated to accept it. Those of you who have your theatres in a big town may not feel like rejecting it, but small-town exhibitors can hardly show a picture of this type. Such exhibitors may reject it if they want to.

**THE WORKING MAN (411):** This is replacing "The Adopted Father," which was to have been based on a story by Edgar F. Stearns, and since "Working Man" has been based on a story by Edgar Franklin it is a story substitution and you are not obligated to accept it. "Working Man" is, however, so good that no one of you can afford to reject it.

**SILK EXPRESS (416)** was promised with Ann Dvorak. Since Miss Dvorak does not appear in the picture it is a star substitution and you don't have to take it, if she means anything to your box office.

**PRIVATE DETECTIVE (423):** This is listed as a Powell and Francis picture. Powell appears in it but Kay Francis does not; therefore it is a part-star substitution. It is my belief that you have the right to reject it.

This paper desires to call your attention to the injustice this company has done to you by its having decided to release "Gold-Diggers of 1933" among the 1933-34 group. There are six specials on the contract. So far they have delivered four—"Blessed Event," "I'm a Fugitive," "Wax Museum," and "Forty-Second Street." Since the other two are not yet produced, or at least were not produced before "Gold-Diggers," it should have been delivered as one of the specials you are entitled to receive, for it was produced on your "hired" time. There is no way by which you can distinguish the pictures that are made for you from those that are not, and are sold to you, or to your competitor, for more money. Consequently Warner Bros. can deliver all mediocre pictures, but it may withdraw the good ones and sell them for more money, either to you or to your competitor. There is where the injustice comes in. Just to give you proof of it I may call your attention to "Life Begins," released through the other Warner half—First National. When the Home Office executives first saw "Life Begins," they thought they had a big picture. They started to roadshow it in New York, undoubtedly intending to handle it apart from the regular program. But the public told them through the box office that it was not a roadshow special and they threw it into the lot. Had it turned out a box office sensation, you can rest assured that you would not have received it on your contract.

If Warner Bros. value your good will, they should deliver this one as one of your six specials. It is bad enough to demand of you to pay them more money for a picture of yours, as they demanded and in most instances received from "42nd Street"; but for them to take a picture away from you altogether is the rawest deal imaginable—even

rawer than the deal Kent gave you on "What Price Glory," "Broken Blossoms," and "Precious."

The attitude of the film companies in withholding good pictures from your contract and delivering all the lemons proves for the thousandth time that a law making it obligatory on the part of the producers to deliver a one-thousand word synopsis to the buyer before they may have the right to sell a picture is absolutely necessary to prevent such abuses. Perhaps we may get this reform through the industry recovery bill. Something must be done anyway to put an end to such abuses.

Whatever pictures remain to be delivered up to the end of the 1932-33 season will be analyzed as they are reviewed.

### THE INDUSTRIAL RECOVERY BILL AND ALLIED STATES

Lack of space prevents me from commenting on the situation that has been created by the final passage of the Industrial Recovery Bill by Congress and the attitude of Allied States Association towards the invitation extended to it by Will H. Hays to take part in the joint conferences for the enactment of a code of fair trade practices. All I can say is that HARRISON'S REPORTS endorses the Allied attitude.

Along with the decision of Allied States to write a code of its own if necessary I called a meeting of independent producers and distributors at the Park Central Hotel last week and impressed them with the necessity of their forming an organization to present to the President a code of their own, for I made them understand that the Hays organization will not do anything to protect their interests and that it was necessary for them to do it. Another meeting is to be held this week and I believe that something will come out of it.

There is ground on which these can work together with the independent theatre owners. What the theatre owner wants is the right to buy pictures as long as he is willing to pay the price, and the right to select. I am willing to wager any one that the Hays Code will not contain any such concessions.

Incidentally I may state that the right to select can be exercised by the exhibitor only if the pictures are made. There was a time when the exhibitor would be content if the producer would submit to him a one-thousand word synopsis; but not now.

I am urging Allied to put into the code a provision compelling the producer to make a picture before he can sell it.

### THE RELIGIOUS PRESS IN SYMPATHY WITH THE CLEAN PICTURE CAMPAIGN OF HARRISON'S REPORTS

*The Christian Century* has published a series of seven articles by Dr. Fred Eastman, one of the editors of this magazine and an outstanding professor in the Chicago Theological Seminary. The articles have been founded on the findings of the Motion Picture Research Council, which has carried on its investigation with funds supplied by the Payne Foundation.

In the Seventh article, Dr. Eastman called the attention of the readers of this magazine to the series of articles on block-booking, which appeared in HARRISON'S REPORTS a few weeks ago, recommending that they obtain sets by sending six cents to cover the postage.

The independent theatre owners are indebted to Dr. Eastman for having espoused their cause and helping me counteract the Hays propaganda by which the Hays organization had succeeded in making the people of the United States believe that the exhibitor was responsible for the production of filthy pictures.

Following Dr. Eastman's lead, Dr. Guy Emery Shippler, editor of *The Churchman*, an Episcopalian publication, published a similar appeal in *The Churchman's* editorial pages recommending to his readers to obtain these articles.

Every one of you knows, I believe, that it was Dr. Shippler who exposed the connection of the Hays organization with some of the leading lights in the Federal Council of Churches. This expose, which was made in 1929, so aroused the ire of Elder Hays that he threatened to sue Dr. Shippler and *The Churchman*. But Hays did not go through with that threat, because what Dr. Shippler printed was founded on facts.

The fact that the Presbyterian church acknowledged indirectly in a recent resolution it passed that the exhibitor is not responsible for the dirty pictures produced by condemning block-booking is the best proof that we have succeeded in convincing the American public that Will H. Hays' block-booking arguments are misleading.



# HARRISON'S REPORTS

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## The N. A. M. P. I. Code of Fair Trade Practices

The tentative code draft that was presented to the industry last week by the National Association of the Motion Picture Industry, a body organized last week for the purpose of bringing all the branches of the industry together so as to adopt a fair code of trade practices to be presented to President Roosevelt's representative, created an extremely favorable impression by its thoroughness and by the fairness of its provisions.

As I informed you in last week's issue, two weeks ago I called a meeting of independent producers and distributors for the purpose of helping them form an organization with the object of cooperating with the organized exhibitors to the end that a fair and just code may be agreed upon for presentation to the President's agent after such code is adopted.

At the second meeting, which was held at the Park Central Hotel on Wednesday, last week, those who attended the meeting elected me unanimously as Chairman with instructions to appoint a committee for the purpose of effecting a permanent organization.

During the meeting a tentative code, drafted by the law firm of Graham & Reynolds, was presented for discussion. The meeting authorized the Chairman to have the code printed and distributed to the members so that at a subsequent meeting its different provisions may be discussed.

The provisions of the N.A.M.P.I. code will not be found by the independent theatre owners at variance with their aims and aspirations; among the thirty-eight provisions, thirty-one concern them directly.

Among the most important practices that are outlawed are the following:

Ownership, operation or control of theatres by producers or distributors.

Withholding product from independent theatre owners.

Protection, zoning and exclusive runs.

Unfair discrimination in favor of chain theatres.

Block-booking and blind-booking.

Threatening to build theatres in competition with an exhibitor as a means of inducing him to buy pictures.

Overbuying.

Duplication of sound royalties; that is, paying for seat tax and for score charge.

Forcing an exhibitor to buy another producer's pictures in addition to the pictures of the producer such exhibitor is negotiating with.

Owning more than one theatre in the same competitive locality.

Substitutions.

Allocation of product.

Unfair arbitration.

Obscenity in pictures and in advertisements.

The most important provisions in the code are those that refer to the divorcing of exhibition from production or distribution, and to the withholding of product.

The first-named provision reads as follows:

"The ownership, operation or control of theatres, directly or indirectly, by any producer or distributor of motion pictures, is a monopolistic practice.

"The acquisition by any producer or distributor, directly or indirectly, of additional theatres, or the control or management thereof, is an unfair method of competition.

"The continued ownership, operation or control, directly or indirectly, for more than one year after the approval of this code by the President of the United States, by any producer or distributor of motion pictures, of any theatre owned, operated or controlled by such producer or distributor at the time of such approval by the President, is an unfair method of competition, except to the extent that the

National Council may sanction, and subject to such conditions as it shall prescribe in relation to, such ownership, operation or control after the expiration of such period of one year.

"The word 'control' as used in this article includes any financial interest in a motion picture theatre, or in the company owning, operating or managing the same, or any understanding, arrangement or agreement, except an exhibition contract made in the usual and ordinary course of business, whereby the producer or distributor obtains or reserves the right to direct the policies of such theatre, to specify what motion pictures shall be exhibited therein, or to receive preferential or favored treatment from such theatre in relation to the product of such producer or distributor."

A motion embodying the full spirit of this provision was put to a test vote and carried unanimously, the independent producers and distributors thus demonstrating that they are in accord on this question with the independent exhibitors.

The other provision reads as follows:

"The withholding of motion pictures from the exhibitors, who are willing to pay the same rental therefore that is paid by any other exhibitor in the same locality, is an unfair method of competition."

The future of the motion picture industry depends entirely upon the adoption of these two provisions: When theatres are put back under individual ownership and management and pictures are sold in the open market, individual initiative will find so full an expression that theatres that are now either closed or operating at a loss for lack of business will turn into profitable enterprises, not only affording relief to the owners of the real estate but creating employment for thousands of persons now idle. If the industry is today a wreck seek the cause in the practice of the affiliated theatre managements of making it a point to bar subsequent-run exhibitors from using the film they used until either a long time after they had shown it, or not at all, with the result that the producer of the pictures did not receive his revenue back quickly to enable him to carry on further operations, or received much reduced revenue as a result of the fact that the public, having tired of waiting, did not go to see the films when they were eventually shown in local theatres. And the reduction of attendance brought about many theatre closings, in addition to causing continued financial losses to many now open.

The fact that the independent producers and distributors, although I am not of their camp and since the day I founded this publication have been of the opposite camp, elected me to head their organization movement makes me feel the responsibility keenly; I consider this act a great honor and am determined not to allow any influences to prevent me from serving the interests of the entire industry to the best of my ability. This will be an organization where politics will not enter, and where the acts of him upon whom this responsibility has been placed will work with one purpose in mind—to do the greatest good to the greatest number.

Since the aims of the independent producers and distributors are by at least ninety per cent also the aims of the independent theatre owners, I feel confident that, in leading this movement, I shall have the whole-hearted cooperation also of all the independent theatre owners, unorganized as well as organized.

As a first step to bring about such a cooperation, I shall ask every one of you to send me the names of the best independent exchangemen in your territory so that this organization may communicate with them with the view to

(Continued on last page)



### **"What Price Innocence?" with Minna Gombell and Jean Parker**

(Columbia, July 1; running time, 61½ min.)

This might do as a clinical study for lecture purposes to teach mothers how to rear their daughters, but it certainly is not entertainment. It is an unpleasant and demoralizing sex drama. The unpleasantness is brought about because one sees a young man break down the morale of a girl and then seduce her. It is demoralizing because this boy does not pay for his misdeeds. The picture ends in a morbid tone, for the young girl kills herself because of her shame on account of the fact that she is going to have a child. Particularly unpleasant is the character of the girl's mother who is unbelievably selfish and cruel; it is really because of the lack of understanding she shows that the girl kills herself:

The heroine, a charming and naïve girl, attempts to learn the facts of life from her mother. But the mother is so concerned with her own petty problems that she never has much time to give to the girl; in addition, she thinks that her child is too young to talk about the subject of sex. The girl, thinking she is in love with a young man, surrenders herself to him. Soon she finds that she is to have a child and at this crucial point the boy deserts her. Her one friend is the family physician. He attempts to take the girl away but her mother does not think this is necessary until the girl blurts out the truth. The mother is frantic and berates the girl for she feels that she had given the child an excellent training and that she should have had enough decency to keep herself clean. The doctor sends the girl away to a secluded spot with a nurse. The mother and father pay the girl a visit and the mother again berates her. This depresses the heroine so much that after their departure she kills herself. It is then that the mother realizes how wrong she had been.

The plot was adapted from a story by Willard Mack, and directed by him. In the cast are Willard Mack, Bryant Washburn, Ben Alexander, and others.

Not suitable for children, adolescents, or for Sundays.

### **"Strange People"**

(Chesterfield; running time, 64 min.)

A moderately entertaining murder melodrama of program grade. At times the plot becomes so involved that it is difficult to follow the story. All the usual tricks, such as lights going out, and doors and windows suddenly opening, are used to get eerie effects. The audience is held in suspense because of the mystery surrounding the murders, and the solution is not shown until the end. Comedy is aroused when the occupants of the house become frightened unnecessarily at times:—

Several people are called to a deserted-looking house and when they arrive there they suspect something is wrong. They realize that they had all served on the same jury that had convicted a young man of murder, and that the house they were in was the one in which the murder had occurred. Soon the lawyer arrives and stages a faked murder, involving the heroine as the murderess, in order to prove to these people that they might have convicted the young boy on circumstantial evidence. But the man who was supposed to play dead is found to be actually murdered. The lawyer calls for the police, and when they arrive they find two suspicious men prowling around the house. They claim they were the former partners of the supposedly murdered man, and that the man was not dead at all. A search of the house reveals that the men were right; the man, realizing that his former partners were after him, killed another man who resembled him, arranging things so as to make it appear as if he were murdered and that the murder had been committed by the young man who was his secretary. The police arrest this man and his accomplice. The lawyer thanks every one who had come to the house and tells them they will all be paid by him.

The plot was adapted from a story by Jack Townley. It was directed by Richard Thorpe. In the cast are John Darrow, Gloria Shea, Hale Hamilton, Wilfred Lucas, and others.

Suitable for children, adolescents and for Sundays.

### **"The Rebel" with Vilma Banky, Luis Trenker and Victor Varconi**

(Universal, June 15; running time, 72 min.)

Because of the fact that Vilma Banky, who is the only

player in this picture worth speaking about, has been absent from the screen for a long time, it will be difficult to tell how much help she will be to an exhibitor's box office, but the picture is unusual. There is some melodrama in it that is more thrilling than that seen in other pictures for some time. Tyroleans are shown defending their country against the invaders by letting loose dammed rocks on them down the mountainside, timing the hurling of these rocks so as to either fall on the passing soldiers or to block exit of these troops. The action unfolds in the days when Napoleon invaded Tyrol; yet the picture does not convey the impression of being a costume play except in the scenes where Napoleon's troops are seen in the action. There is sympathy for Trenker, who takes the part of the leader of the rebels, for Napoleon's soldiers had murdered his family for no valid reason. One feels sympathy also for Vilma Banky, for although she is the daughter of a magistrate, she risks even her life to give the hero, with whom she is in love, information about the invading troops. The scenes in which the hero is shown, disguised as a staff officer, attending the ball so as to dance with the heroine, are extremely suspenseful; one holds his breath out of fear lest he be detected and arrested.

The picture was photographed in the Tyrolean Alps, and shows some very beautiful natural scenery.

The last part shows the Tyroleans battling desperately Napoleon's troops in an effort to drive out the invaders. But it is all in vain, for the invaders are too many for them.

The picture closes with the shooting of the hero and two of his comrades; then their spirits, along with those who had fallen in the battle, are shown marching on, singing a song of freedom.

The story is by Luis Trenker and Edwin H. Knopf; it has been directed by the authors.

Good for the entire family.

### **"When Ladies Meet" with Ann Harding, Robert Montgomery and Myrna Loy**

(MGM, June 23; running time, 83 min.)

Good entertainment for sophisticated audiences. The dialogue is intelligent and the story plausible. One's interest is held throughout even though the first half is rather slow, and the story depends more on dialogue than action for its drama. The second half is exciting, holding one in tense suspense, particularly during the situation in which Ann Harding and Myrna Loy come to the realization that they love the same man. Sympathy is felt for the different characters, with the exception of the husband, who is a philanderer. Alice Brady, as a nit-wit society matron, provides good comedy by her tactless remarks and silly behavior:—

Robert Montgomery is in love with Myrna Loy, a novelist, but she is in love with Frank Morgan, her publisher, who is a married man. Alice Brady invites Myrna and Morgan to her country place for a week-end and Montgomery, knowing this, plans to spoil the week-end for them. He becomes acquainted with Ann Harding, Morgan's wife, and they play golf together. He then offers to drive her home by way of a new road which brings him directly to Alice Brady's home. He doesn't tell Ann who Myrna is, but just says that he is in love with Myrna and wants Ann to use another name and pose as a friend of his in order to make Myrna jealous. Ann joins into the spirit of the fun with him. Montgomery had seen to it that Morgan was not there by telephoning him about an important meeting with an author. Ann and Myrna take an immediate liking to each other. They settle down to a comfortable chat and Ann tells Myrna how unhappy she is about her husband's philandering. Myrna asks Ann if it is possible for a young girl to go to a wife and tell her she is in love with her husband, the way she is. She uses Morgan's name and Ann, realizing the situation, does not tell her who she is. Just as they are conversing, Morgan, having returned, comes to Myrna's room and is shocked to find Ann there. Myrna is heartbroken and mortified, blaming Montgomery for having brought about the embarrassing situation. Morgan begs Ann's forgiveness and tells Myrna he did not really love her, and that it was just another affair for him. Ann and Morgan leave, and after tears Myrna forgives Montgomery.

The plot was adapted from the play by Rachel Crothers. It was directed by Harry Beaumont. Others in the cast are Martin Burton and Louis Alberni.

Not suitable for children, adolescents, or for Sundays.



**"Baby Face" with Barbara Stanwyck***(Warner Bros., July 1; running time, 69½ min.)*

An extremely demoralizing sex picture. It shows, in lurid fashion, how the heroine, a prostitute, uses men to accumulate a fortune. The first half is repetitious, being a series of sketches of her affairs with different men. Some of the situations are ugly; as for instance when the heroine arranges to have a certain man make love to her just when she knows his fiancée is coming to see him; also when this fiancée finds his father-in-law to-be in the heroine's bedroom, and, jealous with rage, kills him and then himself. Even this tragedy does not change the heroine; instead she uses it as a means of getting even more money. Barbara Stanwyck gives an excellent portrayal of the heroine, but it does not save the picture from being vulgar entertainment:—

The heroine, by living with one man after another in the firm where she works, is promoted to better positions each time. One of the men, engaged to the vice-president's daughter, is one of her victims and he tells the vice-president that he cannot give the girl up. The vice-president sees the heroine and before long he supports her. The young man cannot resist her and tries to see her but she sends him away. One night he comes to her apartment and finds the vice-president there. Enraged, he kills him and then himself. The scandal that follows puts the company in a bad position. The hero, playboy of a wealthy family, is made the president in the hope that his name will mean something to the public. The heroine is called to the office and the hero offers her a position in their Paris branch. She accepts it. There she progresses. When the hero arrives in Paris he meets her again and this time becomes infatuated with her. He marries her and while they are on their honeymoon he receives word that the company is in bad shape and that he must return immediately. Both he and the heroine go back. He finds that he must have a million dollars to put into the company and asks the heroine to give him back the jewels and securities he gave her. She refuses and goes on board ship to sail for Europe. She suddenly realizes that she loves the hero, leaves the boat and rushes back to him. She finds him in his office unconscious from a self-inflicted gun shot. She rushes him to the hospital and he is saved. She gives him all her money and they leave the city to work together.

The plot has been adapted from a story by Mark Canfield. It was directed by Alfred E. Green. In the cast are George Brent, Donald Cook, Alphonse Ethier, Henry Kolker, Margaret Lindsey, Arthur Hohl, and others.

Not suitable for children, adolescents, or for Sundays.

**"Her Resale Value" with June Clyde***(Mayfair Pictures; running time, 62 min.)*

Ordinary program fare. It is slow. This, coupled with the fact that the heroine is an unsympathetic character, makes one lose interest in the outcome. The fact that the heroine is entirely out of sympathy with her husband, a struggling young physician, and thinks more of the condition of her hands than of his future, is irritating. The sex element in the picture is unpleasant, and the complete naïveté of the heroine is unbelievable:—

The heroine resents the fact that she is forced to do her own housework because her husband is a struggling physician and cannot afford to employ a maid. A friend of hers, paying a visit to her old home town, tells the heroine she is foolish to waste her youth; she suggests that she go back to the city with her. An automobile accident happens in front of the hero's office and the patient is brought in. While the hero is operating on the man, his wife calls to tell him she is leaving but he cannot leave his patient to talk to her. She goes to her friend's apartment and lives there in luxury with her without realizing how she was obtaining all the luxuries. The friend introduces her to the villain as a prospective employer and she and the villain become close friends. In the meantime, her husband, having performed an excellent operation on the patient, is rewarded by the patient, a banker, who buys a hospital for the hero. The heroine writes to tell the hero she wants a divorce. He gives it to her, and she expects the villain to marry her. But he laughs at her and in desperation she shoots him. The hero happens to be in the hospital where the villain is brought and performs the operation for the sake of the heroine. He realizes that if the man died his wife would be tried for murder. The villain lives. The heroine

comes back to the hero, pleading for his forgiveness; they are reconciled.

The plot was adapted from a story by Horace McCoy. It was directed by Breezy Eason. In the cast are George Lewis, Noel Francis, Ralf Harolde, Richard Tucker, and others.

Not suitable for children, adolescents or for Sundays.

**"Samarang"***(United Artists, June 15; running time, 60 min.)*

This is an interesting narrative of native life in Malaysia and the work done by divers in the pearl beds of the Indian Ocean. The photography and scenic background are excellent, particularly the water scenes showing the natives diving for the pearls.

The daily life and love affair of a young native couple give continuity to the picture, for the story revolves around them.

Starting with the festivities in the village, preparatory to the time when the natives were to leave for their diving expedition, the story shows the different ceremonies and then the departure. After sailing for some time the natives stop off at an island, unaware that it is inhabited by cannibals. But they soon find out about it and make their escape leaving the hero and the heroine there because they could not reach the ship in time. By the time the two reach the shore they see the ship sailing away, and hide in the jungle. The following day they are seen by the cannibals and the two make their escape by running to the sea and diving in. Fortunately the men on the ship had insisted that the captain turn back and the hero and the heroine are picked up by them. There is a happy reunion, particularly between the hero and his young brother who had been taken along on the trip.

Everything is in readiness for the diving. The hero is first to jump into the water to find the coveted pearl, regardless of the danger of the shark-infested water. The heroine swims along with him, and his first trip brings him success—a pearl; this will give him the right to marry the heroine. Without anyone's noticing him, the young brother decides to venture into the water on his own to find a pearl, too. His absence is soon noticed and the hero dives in after the boy. But too late; a shark had attacked the boy and the hero lifts him out of the water, dead.

The trip home is a pitiful one. The boy is brought into the village in his brother's arms, and there is much mourning. The hero broods over his brother's death. Eventually he goes back to the sea and with the help of some of the other natives and of the heroine he kills a shark.

The closing scenes show the marriage of the hero and of the heroine.

The story was written by Lori Bara and directed by Ward Wing. It is in silent form, synchronized with music and sound effects.

Suitable for children, adolescents, and for Sundays. But it is a picture mainly for select people.

**"Dude Bandit" with Hoot Gibson***(Allied Pictures; running time, 65 min.)*

A good western, with plentiful fast action and good comedy situations. These results are attained by the hero, who poses as a meek man, afraid of the villain, when in reality he is fighting the villain single-handed without revealing his identity. The closing scenes in which the villain and his men give chase to the hero are exciting:—

The hero, hearing of the death of his friend, comes to the man's ranch to investigate. The foreman of the ranch knows him, but the hero tells him not to reveal his identity, not even to the heroine, the dead man's daughter. He poses as a meek person and the heroine is disgusted with him because of his timidity. But instead of being timid, he becomes a bandit in order to investigate the villain and his men; he suspects them of having murdered his friend. He finally gets all the evidence together, and helps the Sheriff to round up the villain and his whole gang. The heroine is happy to learn who the hero is and they are united.

The plot was adapted from a story by Jack Matford. It was directed by George Melford. In the cast are Gloria Shea, Hooper Atchley, S. Bill Robins, and others.

Suitable for children, adolescents, and Sundays where westerns are shown.



obtaining their cooperation in this independent movement. Even if you send me their names, you should, if convenient, urge them personally or by letter to communicate with me so as to save unnecessary delay. Impress upon them the fact that time is of great essence: The 1933-34 season is about to begin and immediate action to present the approved code to the representative of the President is necessary. And this organization must have the voice of the greatest number of independent producers and distributors so as to get the most attentive hearing. Tell them that it is not the amount of money a group represents that will insure the most attention but the justice of the cause. Point out to them that the Hays organization will not lift its finger to protect the interests of the independent, either producer-distributors or exhibitors. A glance at the temporary code drafted by that association should be enough to convince them of the correctness of my assertion.

As to the code suggestions made to the Hays association by M.P.T.O.A., allow me to say that, with all due respect to many of the M.P.T.O.A. units, with which I am on friendly terms, these suggestions are spineless. For instance, under *Block Booking*, there is said: "In contracts for the exhibition of groups of ten or more pictures the exhibitors have the privilege of rejecting at least 15% of the number of pictures in the group without payment." This perpetuates the old system which enables the major companies to retain the monopoly of play-dates. The big companies have been able to keep independent product from finding an outlet by means of the block-booking system which M.P.T.O.A. allows to be perpetuated. The corresponding provision in the N.A.M.P.I. code requires that the producer make the picture and tradeshow it before he be permitted to sell it. Under such a system, the independent producer-distributor will have an equal opportunity to find an outlet for his product, instead of having to depend on the generosity of the producer-exhibitor, as heretofore.

As to blind-booking, that scourge which has driven the American people away from the picture theatres because of the vileness of most pictures, M.P.T.O.A. remains absolutely silent.

Some of the M.P.T.O.A. recommendations are in agreement with the provisions of the N.A.M.P.I. code, but they do not mean anything because they are only recommendations instead of demands, and have been made "spinelessly" to an association which has never been known to propose one constructive act and from which the independent theatre owner may expect nothing. Remember that Will H. Hays was engaged to befriend the churches, not for the clean pictures the industry was making, but for the dirty pictures; the producers needed protection to carry on their dirty work. And Mr. Hays has certainly proved worthy of his hire, for the pictures have been getting dirtier with each passing year of his regime.

But even if every one of its recommendations were fully in accord with the wishes of both independent exhibitors and independent producer-distributors, still M.P.T.O.A. has no standing in the new scheme of things because it is a "company union," and company unions are "tabooed" by the Industrial Recovery Act, Section 6, (b), which reads as follows: "The President is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this title shall be truly representative of the trade or industry or subdivision thereof represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this title."

The language of the law is plain—the few independent theatre owners who have joined M.P.T.O.A. because of their ignorance of the fact that it is a producer-supported organization "shall cease to be entitled to the benefits of this title." The law specifically states that any organization applying for a code must be "truly representative." And M.P.T.O.A. is not truly representative. The only organization that is truly representative of the independent exhibitor is Allied States, and all independent theatre owners must join this organization if they should hope to receive the benefit of the code that will be presented to the Administrator for approval.

The elimination of the block-booking system in accordance with the provisions of the N.A.M.P.I. code will naturally benefit also the independent exhibitor. This alone should prompt you to seek to induce the independent exchangemen to give their whole-hearted support to this movement.

The independent producer or distributor will have to lend his support to this movement because, unless he belongs to

an organization, he will be considered an "outlaw." He may be licensed, and his license may be taken away from him if he, in the opinion of the code administrator, should violate any of the provisions of the Fair Trade Practices Code that will be adopted by the industry despite his refusal to cooperate. The Industrial Recovery Act has altered radically our way of doing business and unless a person belongs to a trade association or group he will be out of luck; and since his interests will not be given adequate protection if he were to join the Hays association, there is only one thing left for him to do—join the National Association of the Motion Picture Industry, where every one has equal rights, and where his voice will be heard.

Let me again say to every person in the motion picture industry this: My work of publishing HARRISON'S REPORTS, and HARRISON'S *Forecaster*, in addition to attending to the other needs of the exhibitors, is all I can physically stand. In undertaking to lead this movement, therefore, I have added more work than is humanly possible for me to do. When I was asked to lead this movement I could not refuse to help but I accepted the assignment only because it gives me an opportunity to be of benefit to the industry on a larger scale, and because I felt sure that I shall have the cooperation of every one of you to make my work easier. So let every one of you help with all his heart. Let us stand back of our President in his efforts to rehabilitate industry and thus create employment for millions of workers now idle.

P. S. HARRISON, *Chairman*,  
NATIONAL ASSOCIATION OF THE MOTION PICTURE INDUSTRY.

## SEND YOUR SUBSCRIPTION TO THE FORECASTER

About a week after the first film company makes its announcement the first number of the *Forecaster* will be mailed to the HARRISON'S *Forecaster* subscribers.

In accordance with the analysis of the 1932-33 forecasts, sent to you along with the issue of May 27, the accuracy during the closing season was, in the most conservative estimate, eighty-five per cent.

I said conservative because the *Forecaster* analysis, instead of claiming credit whenever there was any doubt, disclaimed such credit. For instance, every one of you knows that the story "Call Her Savage," the Fox picture with Clara Bow, was poor; but no credit was taken by the *Forecaster* because of it. The same is true in the case of "Farewell to Arms," and of some other pictures.

The number of "hits" becomes still greater if you should add "Peg o' My Heart" to the number of 100% hits, for the picture has turned out just as predicted. This makes the number of "hits" sixty-six against eleven "misses."

Picking sixty-six out of seventy-seven stories is almost like reviewing pictures before they are made, for after all even my accuracy of the reviews of the finished product is not much higher than this.

The *Forecaster* subscription rates are as follows:

For theatres in towns of 5,000: \$5. For theatres in towns from 5,000 to 10,000: \$10. For theatres in all larger towns: \$15, if the owner has three theatres or fewer; if 10 theatres, \$25; if 20, \$50; if 30, \$100; if more than 100 theatres, \$200.

## COLONEL SCHILLER AND HIS AVERSION FOR THE TERM "PROTECTION"

Colonel Ed. Schiller, of Loew's, Inc., feels a revulsion at the word "protection," and wants us to use the word "clearance" instead. "Protection," he says, "sounds like racketeering."

It is strange that all these years the good Colonel has not objected to the word; his aversion arose only with the passing of the Industry Recovery Act. For instance, looking back at the agreement he signed with the Cleveland exhibitors last year, we find the word "protection" occurring in that agreement several times. The contract forms of every distributor he has signed have contained this word ever since "protection" came into existence. The Hays Code of Fair Competition contains this word. If "protection" means racketeering, then what are we to say for his having tolerated it all these years?

And what difference does it make what name you give to a rose? Isn't it a rose, always? And what is "protection"?

Quit "kidding" yourself, Colonel Schiller! It will not do you any good, for the Industry Recovery Act makes no discrimination between the man who owns one theatre and the man who owns a thousand theatres. We are all alike now.



## HARRISON'S REPORTS

Vol. XV

NEW YORK, N. Y., SATURDAY, JULY 1, 1933

No. 26

(Semi-Annual Index—First Half of 1933)

Title of Picture	Reviewed on Page	Island of Lost Souls—Paramount (69 min.)	10
A Bedtime Story—Paramount (86 min.)	67	It's A Great Life—Universal (See "They Just Had To Get Married")	26
Adorable—Fox (84 min.)	78	It's Great to Be Alive—Fox (67½ min.)	99
Air Hostess—Columbia (66½ min.)	14	Jennie Gerhardt—Paramount (85 min.)	95
Alimony Madness—Mayfair (65 min.)	74	Jungle Bride—Monogram (58½ min.)	79
Ann Carver's Profession—Columbia (68 min.)	94	Kid's Last Fight, The—Warner Bros. (See "Life of Jimmy Dolan")	83
At the Crossroads—Columbia (62 min.)	98	King's Vacation, The—Warner Bros. (60 min.)	14
Barbarian, The—MGM (88 min.)	75	Kiss Before The Mirror—Universal (67 min.)	58
Behind the Counter—Tower Productions (See "Daring Daughters")	63	Laughter in Hell—Universal (67 min.)	2
Below the Sea—Columbia (79 min.)	71	Life of Jimmy Dolan—Warner Bros. (87 min.)	83
Between Fighting Men—KBS Tiffany (their time 62 min.)	Not reviewed	Lilly Turner—First National (64 min.)	79
Big Brain, The—RKO (72 min.)	91	Little Giant, The—First National (75 min.)	86
Big Cage, The—Universal (77 min.)	67	Looking Forward—MGM (82 min.)	71
Big Drive, The—First Division (89 min.)	15	Love Is Like That—Chesterfield (61 min.)	71
Big Pay-Off, The—Mascot (See "Pride of the Legion")	174	Lucky Devils—RKO (63 min.)	6
Billion Dollar Scandal, The—Paramount (76½ min.)	6	Lucky Dog—Universal (58½ min.)	83
Bitter Tea of General Yen, The—Columbia (85 min.)	2	Luxury Liner—Paramount (68 min.)	22
Bondage—Fox (66 min.)	51	M—Foremco Pictures Corp. (66 min.)	66
Breed of the Border—Monogram (54 min.)	78	Made on Broadway—MGM (67 min.)	67
California Trail—Columbia (67½ min.)	Not Reviewed	Man And Wife—RKO (See "No Other Woman")	3
Cavalcade—Fox (1 hour and 49 min.)	7	Man Hunt—RKO (61½ min.)	67
Central Airport—First National (74 min.)	55	Man of Action—Col. (their time 59½ m.)	Not reviewed
Cheating Blondes—Equitable Pictures (61 min.)	87	Man They Couldn't Arrest, The—Gainsborough (69m)	66
Circus Queen Murder, The—Columbia (64 min.)	58	Mayor of Hell—Warner Bros. (88 min.)	98
Cocktail Hour—Columbia (72 min.)	90	Melody Cruise—RKO (74 min.)	98
Come on Tarzan—Tiffany (their time 64 m.)	Not reviewed	Mummy, The—Universal (72 min.)	6
Common Ground—First Nat'l. (See "Frisco Jenny")	7	Murders in the Zoo—Paramount (60 min.)	50
Corruption—Hollywood Pictures (60½ min.)	99	Night and Day—Gainsborough (76 min.)	90
Dangerously Yours—Fox (72 min.)	22	Night in Cairo, A—MGM (See "The Barbarian")	75
Daring Daughters—Tower Productions (60 min.)	63	Night of Terror—Columbia (65 min.)	82
Death Kiss—KBS Tiffany (71 min.)	18	No Man of Her Own—Paramount (80 min.)	3
Destination Unknown—Universal (65 min.)	54	No Other Woman—RKO (57 min.)	3
Devil's Brother, The—MGM (90 min.)	78	Nuisance, The—MGM (82 min.)	87
Diplomaniacs—RKO (62 min.)	70	Officer Thirteen—Allied Picture (62 min.)	18
Dynamite Ranch—Tiff. (their time 58½ m.)	Not reviewed	Oliver Twist—Monogram (71 min.)	50
Eagle and the Hawk, The—Paramount (73½ min.)	79	Out All Night—Universal (66½ min.)	54
Elmer the Great—First National (72 min.)	59	Outsider, The—MGM (72 min.)	54
Employee's Entrance—First National (75 min.)	14	Parachute Jumper—Warner Bros. (72 min.)	19
End of the Trail—Col. (their time 59½ m.)	Not reviewed	Past of Mary Holmes, The—RKO (62 min.)	10
Ex-Lady—Warner Bros (65 min.)	59	Peg o' My Heart—MGM (86½ min.)	82
Fargo Express—Tiffany (their time 62 m.)	Not reviewed	Phantom Broadcast, The—Monogram (71½ min.)	59
Fighting for Justice—Col. (their time 60½m)	Not reviewed	Phantom Thunderbolt—KBS Tiffany (59 min.)	98
Fires of Fate—Powers Pictures (70½ min.)	62	Pick Up—Paramount (75 min.)	55
Flaming Guns—Univ. (their time 58½ min.)	Not reviewed	Picture Snatcher—Warner Bros. (76 min.)	66
Footsteps in the Night—Invincible Pict. (55 min.)	78	Pleasure Cruise—Fox (69 min.)	55
Forbidden Trail—Columbia (their time 71 m.)	Not reviewed	Professional Sweetheart—RKO (71½ min.)	91
Forgotten—Invincible Pictures (67 min.)	86	Reunion in Vienna—MGM (98 min.)	71
Forgotten Men—Jewel Productions (82 min.)	86	Rome Express—Universal (87½ min.)	14
Fra Diavolo—MGM (See "The Devil's Brother")	78	Sailor Be Good—RKO (68 min.)	11
Frisco Jenny—First National (69 min.)	7	Scarlet Dawn—Warner Bros. (58 min.) (1932)	183
Gabriel Over the White House—MGM (86 min.)	55	Second Hand Wife—Fox (64 min.)	11
Girl I Made, The—MGM (See "Made on Broadway")	67	Secret of Madame Blanche, The—MGM (83 min.)	22
Girl in 419—Paramount (64 min.)	83	She Done Him Wrong—Paramount (64 min.)	18
Girl Missing—Warner Bros. (68 min.)	50	Shriek in the Night, A—Allied Pict. (66 min.)	94
Golddiggers of 1933—Warner Bros. (97 min.)	87	Silent Man—Columbia (58 min.)	58
Great Decision, The—RKO (See "Men of America")	190	Silk Express, The—Warner Bros. (61 min.)	94
Hard to Handle—Warner Bros. (80 min.)	23	Silver Cord, The—RKO (75 min.)	75
Haunted Gold—Warner Bros. (57 min.)	3	Soldiers of the Storm—Columbia (67 min.)	51
Hell Below—MGM (102 min.)	70	Somewhere in Sonora—Warner Bros. (57 min.)	90
Hello Everybody—Paramount (69½ min.)	18	Son-Daughter—MGM (80 min.)	2
Hello Sister—Fox (59 min.)	54	Son of the Border—RKO (54 min.)	74
Her Reputation—Fox (See "Broadway Bad")	30	Song of the Eagle—Paramount (69½ min.)	70
High Gear—Goldsmith Prod. (65 min.)	63	South of Sonora—Warner Bros. (See "Somewhere in Sonora")	90
Hold Me Tight—Fox (70 min.)	82	State Fair—Fox (98½ min.)	19
Hotel Variety—Screencraft (68 min.)	7	Story of Temple Drake, The—Paramount (69½ min.)	75
Hot Pepper—Fox (72 min.)	15	Study in Scarlet, A—KBS Tiffany (71 min.)	74
House of Chance, The—Equitable (See "Cheating Blondes")	87	Sucker Money—Willis Kent (70 min.)	74
I Cover the Waterfront—United Artists (70 min.)	78	Sundown Rider—Columb. (their time 69 m.)	Not reviewed
I Love That Man—Paramount (74 min.)	90	Sunset Pass—Paramount (65 min.)	83
I Loved You Wednesday—Fox (76½ min.)	99	Supernatural—Paramount (64 min.)	66
India Speaks—RKO (75½ min.)	75	Sweepings—RKO (77 min.)	51
Infernal Machine—Fox (65 min.)	23	Telegraph Trail—Warner Bros. (54 min.)	58
International House—Paramount (67½ min.)	86	Terror Aboard—Paramount (65½ min.)	58
Iron Master, The—Allied (65 min.)	23	Terror Trail—Universal (56 min.)	22



There Goes the Bride—Gainsborough (77 min.)	50
They Call It Sin—F. Nat'l (70 m.) (1932)	179
Today We Live—MGM (113 min.)	62
Tonight is Ours—Paramount (74½ min.)	15
Trailing North—Monogram (57 min.)	82
Trick for Trick—Fox (68 min.)	62
20,000 Years in Sing Sing—First National (77 min.)	10
Under the Tonto Rim—Paramount (59 min.)	63
Unknown Valley—Columbia (70 min.)	Not Reviewed
Vampire Bat, The—Majestic (62½ min.)	11
Warrior's Husband, The—Fox (79 min.)	79
West of Singapore—Monogram (64 min.)	54
What a Life—Universal (See "They Just Had To Get Married")	26
What Price Decency—Equitable (58½ min.)	74
When Strangers Marry—Columbia (68 min.)	59
Whirlwind—Columbia (59 min.)	Not Reviewed
Whistling in the Dark—MGM (78 min.)	19
White Sister—MGM (1 hr. and 40 min.)	51
Wives Beware—Regent Pictures (61 min.)	87
Woman I Stole, The—Columbia (66 min.)	70
Women Won't Tell—Chesterfield (66 min.)	11
Workingman, The—Warner Bros. (77 min.)	62
World Gone Mad, The—Majestic Pict. (72 min.)	62
Zoo in Budapest—Fox (83 min.)	63

## RELEASE SCHEDULES FOR FEATURES

### Columbia Features

(729 Seventh Ave., New York, N. Y.)

3817 California Trail—Buck Jones	Mar. 24
3101 Soldiers of the Storm—Toomey-Page	Apr. 4
3917 Whirlwind—Tim McCoy (59 min.)	Apr. 14
3105 Night of Terror—Lugosi-Blane (66½ min.)	Apr. 24
3005 Below The Sea—Bellamy-Wray	Apr. 25
3011 The Woman I Stole—Holt-Wray	May 1
3818 Unknown Valley—Buck Jones (70 min.)	May 5
3918 Rusty Rides Alone—Tim McCoy (58½ min.)	May 26
3012 Ann Carver's Profession (Rules for Wives)—Wray	May 26
3021 Cocktail Hour (Pearls and Emeralds)—Daniels-Scott	June 5
3102 Dangerous Crossroads—Sale-Albertson	June 15
3019 What Price Innocence?—Gombell-Mack	July 1

### First National Features

(321 W. 44th St., New York, N. Y.)

725 Grand Slam—Lukas-Young-McHugh (67m.)	Mar. 18
712 The Mind Reader—William-Cummings	Apr. 1
714 Central Airport—Barthelmess-Eilers	Apr. 15
728 Elmer the Great—Joe E. Brown	Apr. 22
709 Lilly Turner—Chatterton-Brent	May 13
718 The Little Giant—Robinson-Astor	May 20
715 Heroes For Sale (Breadline)—Barthelmess	June 17
726 She Had to Say Yes—Young-Talbot (64 m.)	July 15
723 Goodbye Again—Blondell-William-Tobin	July 22

### Fox Features

(444 W. 56th St., New York, N. Y.)

~28 Bondage (Whirlwind Romeo)—Jordan	Mar. 31
No release set for	Apr. 7
~13 Hello Sister (Walking Down Broadway) Dunn	Apr. 14
~48 Cavalcade—Special	Apr. 15
~37 Trick for Trick—Morgan-Jory	Apr. 21
~36 Zoo in Budapest (Desert Flame)—Young	Apr. 28
No release set for	May 5
~30 The Warrior's Husband (Glamorous)—Landi-Manners	May 12
~42 Adorable (Broken Blossoms)—Gaynor	May 19
~14 Hold Me Tight (Checkers)—Dunn-Eilers	May 26
~21 It's Great to Be Alive (Inside Story)	June 2
No release set for	June 9
~1 I Loved You Wednesday (Precious) (reset)	June 16
~40 Best of Enemies (5c a Glass) (Untitled Lowe)—Nixon-Rogers (75½ min.) (reset)	June 23
~23 Arizona to Broadway (Apartment House Love)	June 23
~27 Life in the Raw (Arizona Wildcat) (reset)	July 7
~33 The Man Who Dared (Bought on Time)—Johann-Foster	July 14
~4 The Devil's in Love (Bad Boy)—Jory-Young	July 21
~29 F. P. 1 (Red Dancer)—Veidt-Esmond-Fenton	July 28
~22 Shanghai Madness—Tracy-Trevor	Aug. 4
No release set for	Aug. 11

(End of 1932-33 Season)

## KBS Tiffany Features

(Tiffany is now out of existence; communicate with Amity Pictures, 729 Seventh Ave., New York, N. Y.)

3106 Tombstone Canyon—Ken Maynard	Dec. 25
3103 Drum Taps—Ken Maynard	Jan. 29
3107 Phantom Thunderbolt—Ken Maynard	Mar. 5
3002 The Constant Woman (Auction In Souls)	Apr. 23
3108 Lone Avenger—Ken Maynard	May 14
3018 A Study in Scarlet—Owen-Clyde	May 16

(End of 1932-33 Season)

## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

~339 Clear All Wires—Tracy-Hume-Gleason	Feb. 24
No release scheduled for	Mar. 3
~321 Fast Workers (Rivets)—Gilbert	Mar. 10
No release scheduled for	Mar. 17
~301 Rasputin and the Empress—Barrymore	Mar. 24
~308 Gabriel Over the White House—Huston	Mar. 31
No release scheduled for	Apr. 7
~324 The White Sister—Hayes-Gable	Apr. 14
~312 Today We Live—Crawford-Cooper	Apr. 21
~309 Looking Forward (Service)—Barrymore	Apr. 28
~329 Devil's Brother—Laurel-Hardy	May 5
~332 The Barbarian—Novarro-Loy	May 12
~330 Made on Broadway—Montgomery-Evans	May 19
~314 Peg o' My Heart—Davies-Stevens	May 26
~341 The Nuisance (Never Give a Sucker a Break)—Tracy-Evans (reset)	June 2
~342 Hell Below—Montgomery-Evans (reset)	June 9
~302 Reunion in Vienna—J. Barrymore	June 16
~310 (331) When Ladies Meet—Montgomery-Harding	June 23
~344 Midnight Mary—Young-Cortez-Tone	June 30
~320 Hold Your Man—Harlow-Gable (reset)	July 7
~343 Strange Rhapsody—Francis-Asther-Huston	July 14
~303 The Stranger's Return—Barrymore-Hopkins	July 21
~325 Another Language—Hayes-Montgomery	July 28

## Monogram Features

(723 Seventh Ave., New York, N. Y.)

Crashing Broadway—Rex Bell	Jan. 30
West of Singapore—Betty Compson	Jan. 30
Trailing North—Bob Steele	Jan. 30
Jungle Bride—Page-Starrett	Feb. 10
Breed of the Border—Bob Steele	Feb. 28
Oliver Twist—Moore-Pichel-Boyd	Mar. 10
Phantom Broadcast—Forbes-Osborne	Mar. 30
Black Beauty—Kirkland-Ralston	Apr. 15
Casey Jones—Starrett-Searle	May 25
Gallant Fool—Bob Steele	May 29
Fighting Texans—Rex Bell	June 15
The Sphinx—Lionel Atwill	July 1

## Paramount Features

(Paramount Building, New York, N. Y.)

3235 From Hell to Heaven—Oakie-Lombard	Feb. 24
3236 A Lady's Profession—Skipworth-Young	Mar. 3
3241 King of the Jungle—Dee-Crabbe	Mar. 10
3237 Strictly Personal—Rambeau-Quillan	Mar. 17
3238 Pick Up—Sylvia Sidney-George Raft	Mar. 24
3240 Murders in the Zoo—Ruggles-Atwill	Mar. 31
3239 Under the Tonto Rim—Stuart Erwin	Apr. 7
3242 Terror Aboard—Halliday-Ruggles	Apr. 14
3243 A Bedtime Story—Chevalier-Twelveetrees	Apr. 21
3245 Song of the Eagle (Beer Story)—Arlen	Apr. 28
3247 Supernatural—Lombard-Scott-Dinehart	May 5
3244 The Story of Temple Drake—Hopkins	May 12
3249 The Eagle and the Hawk—March-Lombard	May 19
3248 Sunset Pass—Scott-Keene-Carey	May 26
3251 The Girl in 419—Dunn-Stuart-Manners	May 26
3250 International House—All star cast	June 2
3246 I Love That Man—Lowe-Carroll	June 9
3252 Jennie Gerhardt—Sidney-Cook-Astor	June 16
3254 College Humor—Oakie-Arlen (reset)	June 23
3253 Gambling Ship—Grant-Hume (70m.) (reset)	June 30
3255 Man of the Forest—Randolph Scott	July 7
3256 Disgraced—Twelveetrees—Cabot (63½ min.)	July 7
3257 Mama Loves Papa—Ruggles-Boland	July 14
3258 Her Bodyguard—Gibson-Lowe	July 21
3259 Midnight Club—Raft-Vinson-Skipworth	July 28

(End of 1932-33 Season)



## RKO Features

(Radio City, New York, N. Y.)

- 31139 The Great Jasper—Dix-Engels ..... Mar. 3  
31125 Scarlet River—Tom Keene ..... Mar. 10  
31106 Our Betters—Constance Bennett ..... Mar. 17  
31154 Man Hunt (Faithful Are Forgotten) ..... Mar. 24  
31149 Christopher Strong (Nurse Smith) Hepburn Mar. 31  
31128 Sweepings—Lionel Barrymore ..... Apr. 14  
31680 India Speaks—Special ..... Apr. 28  
31126 Son of the Border—Tom Keene ..... May 5  
31690 Diplomaniacs—Wheeler-Woolsey (Special) May 12  
31131 Silver Cord—Dunne-McCrea ..... May 19  
31152 Emergency Call—Bill Boyd ..... May 26  
31121 Tomorrow at Seven (Hippodrome) Morris. June 9  
31110 Professional Sweetheart (Mistress of  
Moscow)—Rogers ..... June 9  
31120 The Big Brain (Special Investigator)—  
Stone-Wray-Holmes ..... June 16  
31112 Melody Cruise (Whoopee Cruise) (reset) June 23  
31127 Cross Fires—Keene-Furness ..... June 30  
31159 Flying Devils (Sweet and Kennedy Comedy)—  
Bellamy-Cabot-Judge ..... June 30  
31140 No Marriage Ties—Richard Dix ..... July 7

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Cynara—Ronald Colman-Kay Francis ..... Dec. 23  
Kid From Spain—Cantor-Roberti ..... Jan. 10  
Hallelujah, I'm a Bum—Jolson-Evans-Morgan... Feb. 3  
Perfect Understanding—Gloria Swanson ..... Mar. 11  
Secrets—Mary Pickford-Leslie Howard ..... Apr. 16  
I Cover the Waterfront—Colbert-Lyon (72m.)... May 17  
Samarang ..... June 15

## Universal Features

(730 Fifth Ave., New York, N. Y.)

- A5029 The Rome Express—foreign cast ..... Feb. 16  
A5019 Private Jones (Broken Dreams of Hollywood)  
Tracy-Stuart-Cook ..... Feb. 16  
A5006 (5030) The Big Cage (Laughing Boy).... Mar. 3  
A5013 Destination Unknown (S. S. San Pedro) .. Mar. 16  
A5073 The Rustler's Roundup—Tom Mix (56m.)... Mar. 16  
A5023 Cohens and Kellys in Trouble—Sidney-Murray  
Mar. 23  
A5031 Be Mine Tonight—foreign cast ..... Mar. 23  
A5016 Out All Night—Summerville-Pitts ..... Apr. 13  
A5034 The Fighting President—spec. (52 min.)... Apr. 14  
A5024 Lucky Dog (Youth Aflame)—Sales ..... Apr. 20  
A5005 Kiss Before the Mirror (Glamour) ..... May 4  
A2001 King of Jazz—(reissue) (reset) ..... June 1  
A5081 King of the Arena—Ken Maynard (61 m.)... June 1  
A5032 The Rebel—Vilma Banky (72 min.) (re) .. June 15  
A5026 Don't Bet on Love (Men without Fear)—  
Ayres-Rogers ..... July 13  
A5018 Secret of the Blue Room (Suicide Club)—  
Atwill ..... July 20  
A5014 Moonlight and Pretzels (The Flight  
Commander)—Mary Brian ..... July 27  
A5012 Her First Mate (Zeppelin)—  
Summerville-Pitts ..... Aug. 3

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 412 King's Vacation—George Arliss ..... Feb. 25  
415 Girl Missing—Lyon-Brian-Farrell (69 min.)... Mar. 4  
403 Forty Second Street—Baxter-Daniels (89m.)... Mar. 11  
433 Telegraph Trail—Wayne-Day-McHugh 55m Mar. 18  
422 The Keyhole—Francis-Brent-Farrell ..... Mar. 25  
438 Untamed Africa—Adventure spec. (56m.)... Apr. 8  
409 Ex-Lady (Barbara Stanwyck)—Davis-Dodd-  
McHugh-Raymond ..... Apr. 8  
425 Picture Snatcher—Cagney-Bellamy ..... Apr. 29  
411 The Working Man (The Adopted Father).... May 6  
435 Somewhere in Sonora—Wayne-Palmer ..... May 20  
450 Gold Diggers of 1933—(1933-34 Release;  
available for special engagements only)  
William-Blondell-Keeler-Powell ..... May 27  
419 The Life of Jimmy Dolan—Fairbanks, Jr. .... June 3  
416 The Silk Express (Ann Dvorak)—Hamilton... June 10  
423 Private Detective 62—Powell-Lindsay ..... June 10  
425 The Mayor of Hell—Cagney-Evans ..... June 24  
407 Baby Face—Stanwyck-Brent-Cook ..... July 1  
420 Narrow Corner—Fairbanks, Jr.-Ellis (71 m.)... July 8  
426 The Man from Monterey—Wayne-Hall ..... July 15  
428 Mary Stevens, M.D.—Francis-Talbot ..... July 29

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

- 11 The Match Kid—Scrappys (cartoon) ..... May 9  
11 Snapshots (Hollywood Topics) (10 min.) .... May 9  
12 Technorocket—Scrappys (cart.) (7 min.) .... May 20  
5 Champions—World of Sports (10 min.) ..... May 26  
12 House Cleaning—K. Kat (6½ min.) ..... June 1  
12 Snapshots (Hollywood Topics) (9½ min.) .... June 3  
13 The World's Affair—Scrappys (cart.) (6½ m.)... June 5  
13 Antique Antics—K. Kat (cart.) (6 min.) ..... June 14  
6 In the Good Old Winter Time—World of Sports  
(11 min.) ..... June 17

### Columbia—Two Reels

- 6 The Poor Fish—Lambs Gambol (19½ min.)... Apr. 27  
7 Fifty Million Dollars Can't Be Wrong—  
Lambs Gambol ..... May 10

### Educational—One Reel

(Distributed by Fox, 444 W. 56th St., New York, N. Y.)

- 321407 The Animal Fair—Hodge-P. (10 m.) ..... Jan. 15  
320912 Robin Hood—Terry-Toon (6 min.) ..... Jan. 22  
321203 When Dad Was a Boy—Do You Rem. (8m) Jan. 22  
321703 A Drug on the Market—Howard c. (11m) Jan. 22  
321506 Woodland Pals—Bray's Nature (7 min.)... Jan. 29  
320913 Hansel Und Gretel—Terry-T. (6 min.) .... Feb. 5  
321003 Glad Rags to Riches—Baby Burl. (11 min.)... Feb. 5  
321803 No. 3—Broadway Gossip (11 min.) ..... Feb. 5  
321408 Skipping About the Universe—H.P. (10m) Feb. 12  
320914 The Tale of a Shirt—T. Toon (6 min.) .... Feb. 19  
320915 Down on the Levee—T. Toon (6 min.) ..... Mar. 5  
321604 California—Spirit of the Campus (10m)... Mar. 5  
321804 No. 4—Broadway Gossip (11 min.) ..... Mar. 5  
321204 Puffs and Bustles—Do You Rem. (7 min.)... Mar. 12  
321410 Women of Many Lands—H. Podge (9 m.)... Mar. 12  
321304 Two Hundred Fathoms Deep—Camera  
Adventures (9 min.) ..... Mar. 19  
320916 Who Killed Cock Robin—T. Toon (6 m.)... Mar. 19  
320917 Oh! Susanna—Terry-Toon (6 min.) ..... Apr. 2  
321205 Highlights of the Past—Do You Rem. .... Apr. 9  
320918 Romeo and Juliet—T. Toon (6 min.) ..... Apr. 16  
321004 The Kid's Last Fight—Baby Burl. (11m) .. Apr. 23  
320919 Pirate Ship—Terry-Toon (6 min.) ..... Apr. 30  
321805 Broadway Gossip No. 5 (10½ min.) ..... Apr. 30  
321104 The Sea—Battle for Life (9 min.) ..... May 7  
321507 Pirates of the Deep—Bray's Nat. (9 min.)... May 7  
321105 Kid 'n' Hollywood—Baby Burl. (11 min.)... May 14  
320920 Tropical Fish—T. Toon (6 min.) ..... May 14  
321305 The Cougar's Mistake—Camera Adventures  
(9 min.) ..... May 28  
321607 McGill—Spirit of the Campus (9 min.) .... May 28  
321410 Out of the Ordinary—H.P. (9½ m.) (re)... May 28  
320921 Cinderella—T. Toon (cart.) (6 min.) ..... May 28  
321508 Giants of the North—Bray's Nat. (7 m.) .... June 4  
321411 Sawdust Sidelights—H. Podge (10 m.) .... June 4  
321705 Honesty Pays—But Not Much—Tom Howard  
comedy (10½ min.) (reset) ..... June 4  
321006 Polly Tix in Washington—Baby Burlesk  
(10½ min.) ..... June 4  
320922 King Zilch—T. Toon (cart.) (6 min.) ..... June 11  
321806 Broadway Gossip No. 6 ..... June 18  
321509 Wild Life at Home—Bray's Nature (re)... June 18  
320923 The Banker's Daughter—T. Toon (6 min.)... June 25  
321105 Beneath Our Feet (The World Beneath Our  
Feet)—Battle for Life (reset) ..... June 25  
321206 An Old Fashioned Newsreel—Do You  
Remember? ..... July 2  
320924 The Oil Can Mystery—T. Toon (6 min.)... July 9  
321701 Aces Wild—Tom Howard comedy ..... July 9  
320925 Fannie in the Lion's Den—T. Toon (6m) ... July 23  
(No. 321106—Battle for Life—release date postponed)

### Educational—Two Reels

- 320201 As The Crows Fly—Moran-Mack (19m) Feb. 5  
320304 The Hitch Hiker—Langdon com. (21 m.)... Feb. 12  
320202 Two Black Crows in Africa—Moran-Mack  
(20 min.) ..... Mar. 5  
320404 Techno-Crazy—Vanity com. (19 min.) .... Mar. 12  
320504 Torchy Turns Turtle—Torchy com. (21m) Apr. 23  
322001 Krakatoa—Special three reels (26 min.)... Apr. 23  
320106 Feeling Rosy—Andy Clyde com. (21 min.)... Apr. 30  
320305 Knight Duty—Mermaid com. (22 min.)... May 7  
320204 A Pair of Socks—Moran-Mack (20 min.)... May 14  
320107 Loose Relations—Clyde com. (20 min.) .... June 11  
320203 Hot Hoofs—Moran-Mack (18 min.) ..... June 18



320505 Torch's Loud Spooker—Torchy c. (20m). June 25  
 320306 Tied for Life—Mermaid comedy (reset)... July 2  
 320108 Dora's Dunking Doughnuts—Clyde com.... July 8  
 320205 Blue Blackbirds—Moran-Mack comedy.... July 16  
 320506 Trying Out Torch—Torchy comedy..... July 23  
 320307 Hooks and Jabs—Mermaid comedy..... July 30  
 (No. 320705 "On the Brink of Disaster" has been withdrawn.)

### Fox—One Reel

36 Sampans and Shadows—(9½ min.).....Apr. 9  
 30 Down from Vesuvius—(9 min.).....Apr. 16  
 (End of 1932-33 Season)

### Metro-Goldwyn-Mayer—One Reel

F-728 Techno-Cracked—Flip cartoon (8 min.)....Apr. 29  
 T-711 New Zealand, A White Man's Paradise—  
 Fitzpatrick Traveltalks .....Apr. 29  
 T-712 Not Yet Titled—Fitzpatrick Traveltalks...May 20  
 F-729 Bulloney—Flip the Frog (cartoon).....May 27  
 T-713 Not Yet Titled—Fitzpatrick Traveltalks...June 10  
 F-730 A Chinaman's Chance—Flip (cartoon)....June 24

### Metro-Goldwyn-Mayer—Two Reels

—C-638 One Track Minds—Pitts-Todd (19 min.)...May 20  
 —C-628 Mush and Milk—Our Gang com. (18 min.)...May 27  
 —R-664 Nursery Rhymes—Revue.....June 1  
 —C-618 Arabian Tights—C. Chase com. (20 min.)...June 3  
 —C-649 The Rummy—Taxi Boys com. (17 min.)...June 10  
 —C-606 Not Yet Titled—Laurel-Hardy com.....June 17  
 —C-650 Thundering Taxis—Taxi Boys comedy....June 24

### Paramount—One Reel

Z2-11 Hollywood on Parade No. 11 (10½ min.)..June 2  
 Sc2-16 Boileak—Screen Song (10½ min.).....June 9  
 A2-12 Detective Tom Howard of the Suicide  
 Squad—Headliner (10 min.).....June 9  
 Y2-12 Screen Souvenirs No. 12 (9½ min.).....June 9  
 P2-12 Paramount Pictorial No. 12 (9½ min.)....June 16  
 T2-17 Mother Goose Land—Boop cart. (6½ min.)..June 23  
 R2-12 Balance—Sports-Eye-Views (9½ min.)....June 23  
 Sc2-17 Sing Sisters Sing—Screen song (8½ m.)...June 30  
 Z2-12 Hollywood on Parade No. 12 (10½ min.)...June 30  
 A2-13 Jazz a La Cuba—Headliner (5 min.).....July 7  
 Y2-13 Screen Souvenirs No. 13 (9½ min.).....July 7  
 T2-18 Popeye, the Sailor—Boop cart. (7½ min.)..July 14  
 P2-13 Paramount Pictorial No. 13 (10 min.)....July 14  
 Sc2-18 Down by the Old Mill Stream—Screen S...July 21  
 R2-13 Straight Shooters—Sports-Eye-View.....July 21  
 (End of 1932-33 Season)

### Paramount—Two Reels

M2-15 See You Tonight—Sennett com. (20½ m.)..June 2  
 S2-11 Daddy Knows Best—Sennett Star (21 m.)..June 16  
 M2-16 Knockout Kisses—Sennett com. (18 min.)..June 23  
 M2-17 Husbands' Reunion—Sennett c. (19 min.)..July 7  
 M2-18 The Big Fibber—Sennett com. (19½ min.)..July 14  
 S2-12 The Barber Shop—Fields com. (21½ m.)...July 28  
 (End of 1932-33 Season)

### RKO—One Reel

34305 Bali—Vagabond No. 5 (9 min.).....Mar. 17  
 34115 The Last Mail—Fables cart. (6 min.).....Mar. 24  
 34209 Puzzled Pals—Tom & Jerry cart. (7½m) (r) Mar. 31  
 34116 Runaway Blackie—Fables cart. (6½ min.)..Apr. 7  
 34505 Pathe Review No. 5 (10 min.).....Apr. 14  
 34601 Grand National Sweepstake Race—  
 Pathe News (8 min.).....Apr. 14  
 34117 Bubbles and Troubles—Fables cart. (6½m) Apr. 21  
 34210 Hook Ladder and Hokum—Tom & Jerry  
 cartoon (6½ min.).....Apr. 28  
 34118 A Dizzy Day—Fables cart. (7½ min.).....May 5  
 34306 Contrast in China—Vagabond No. 6 (10m) May 12  
 34119 Barking Dog—Fables cartoon (7½ min.)...May 19  
 34211 In the Park—Tom & Jerry cart. (6 min.)...May 26  
 34120 Fresh Ham—Fables cart. (7½ min.).....June 2  
 34406 Pathe Review No. 6 (11 min.).....June 9

### RKO—Two Reels

33705 Mickey's Big Broadcast—McGuire No. 5  
 (19 min.).....June 9  
 33306 Good Housewrecking—Kennedy c. (20 m.)..June 16  
 34603 Century of Progress—Pathe News Special  
 (17½ min.).....June 16  
 33206 Gay Nighties—Clark-McCullough (20 m.)...June 23  
 33406 Shakespeare with Tin Ears—Sweet (18½m) June 30

### United Artists—One Reel

9 Father Noah's Ark—S. Symphony (cart) (8m).Apr. 23  
 14 Mickey's Mechanical Man—M. Mouse (cart)..May 5

### Universal—One Reel

A5408 Ocean Hop—Oswald (reissue) (6 min.)...Apr. 24  
 A5309 Hot and Cold (S.O.S. Icicle)—Pooch  
 cartoon (6½ min.).....May 8  
 A5409 Beau Best—Oswald cart. (6 min.).....May 22  
 A5208 Strange As It Seems No. 29 (8½ m.) (re) May 29  
 A5310 Nature's Workshop—Pooch cart. (7½ m.)..June 5  
 A5410 Ham and Eggs—Oswald cartoon.....June 19  
 A5209 Strange As It Seems No. 30 (reset).....June 26  
 A5311 Fine Feathers—Pooch cartoon.....July 3  
 A5411 Confidence—Oswald cartoon.....July 17  
 A5210 Strange As It Seems No. 31.....July 24

### Universal—Two Reels

A5912 The Journey's End—Clancy No. 12 (20 m.) May 15  
 A5939 Beauty on Broadway—Winchell (21½ m.) May 15  
 A6001 The Great Air Meet—Phantom of the Air  
 No. 1 (20½ min.).....May 22  
 A6002 The Secret of the Desert—Phantom  
 No. 2 (20½ min.).....May 29  
 A5120 A Quiet Night—Roach com. (20½ min.)...May 31  
 A6003 Avenging Phantom—Phantom 3 (17½ m.) June 5  
 A6004 The Battle in the Clouds—Phantom  
 No. 4 (17½ min.).....June 12  
 A5121 His First Case—Vince Barnett (20½ min.) June 14  
 A6005 Terror of the Heights—Phantom 5 (17m) June 19  
 A6006 The Wild Ride—Phantom No. 6.....June 26  
 A6007 The Jaws of Death—Phantom No. 7.....July 3  
 A6008 Aflame in the Sky—Phantom No. 8.....July 10  
 A6009 The Attack—Phantom No. 9.....July 17  
 A6010 The Runaway Plane—Phantom No. 10....July 24

### Vitaphone—One Reel

7009 That's the Spirit—Musical (9 min.).....Apr. 15  
 6917 Rambling Around Radio Row No. 5 (10 m.) Apr. 15  
 6607 Main Streets of the World—Adv. (10 min.) Apr. 15  
 6708 Bosko's Nightmare—L. Tunes (7 min.)....Apr. 29  
 6916 Parades of Yesterday—Old Favorites (10m) Apr. 29  
 6609 Workers of the World—Newman Adv. (10m) May 6  
 6809 Wake Up the Gypsy in Me—Mer. Mel. (7m) May 13  
 7010 Alma Martyr—Musical (9 min.).....May 13  
 6920 You're Killing Me—Crook Melo. (9 min.)...May 20  
 7301 Hands and Grip—Bobby Jones (9 min.)....May 27  
 6922 Rambling Around Radio Row No. 9 (9 min.) May 27  
 6610 Wonders of the World—Newman Adv. (9m) June 3  
 6709 Bosko the Sheepherder—L. Tune (7 min.)...June 3  
 6810 I Like Mountain Music—M. Mel. (7 min.)...June 10  
 7011 The Name Is Familiar—Musical (10 min.)...June 10  
 7302 Position and Back Swing—B. Jones (10m) June 10  
 6923 Around the World in 8 Minutes—Burlesque  
 on Travelogues (9 min.).....June 17  
 6921 Breakwater—Dramatic Novelty (9 min.)....June 24  
 7303 Hip Action—Bobby Jones (10 min.).....June 24  
 6611 Costumes of the World—Newman Adv. (9m) July 1  
 6710 Beau Bosko—Looney Tunes (7 min.).....July 1  
 6811 Shuffle Off to Buffalo—M. Mel. (7 min.)...July 8  
 7304 Down Swing—Bobby Jones (10 min.).....July 8  
 7012 The Audition—Musical (10 min.).....July 8  
 6924 Fisherman's Holiday—Fishing Nov. (9 m.)..July 15  
 7305 Impact—Bobby Jones (10 min.).....July 15  
 6711 Bosko's Mechanical Man—L. Tune (7 min.)..July 29

### Vitaphone—Two Reels

7208 The Build Up—Jack Haley com. (17 min.)..Jan. 21  
 7115 Speaking of Operations—Bway. Brev. (18m) Jan. 28  
 7209 Buzzing Around—Big "V" com. (19 min.)...Feb. 4  
 7118 World's Champ—Dempsey (18 min.).....Feb. 11  
 7113 Pleasure Island—Bway. Brev. (18 min.)....Feb. 25  
 7210 Wrongorilla—Big "V" comedy (20 min.)...Mar. 4  
 7114 Yours Ever—Bway. Brev. (19 min.).....Mar. 11  
 7117 Nothing Ever Happens—Bway. Brev. (18m) Mar. 25  
 7116 Northern Exposure—Bway. Brev. (16 m.)...Apr. 8  
 7119 Way of All Freshmen—Musical (19 min.)...Apr. 22  
 7212 An Idle Roomer—Jack Haley com. (19 m.)..May 6  
 7120 Along Came Ruth—Ruth Etting (19 min.)...May 6  
 7121 Fifi—Musical comedy (19 min.).....May 20  
 7108 Sky Symphony—Musical comedy (18 min.)..June 3  
 7123 Pie A La Mode—Musica! comedy (18 min.) June 17  
 7211 How've You Bean—Fatty Arbuckle (18 m.) June 24  
 7124 Crashing the Gate—Ruth Etting (18 min.)..July 1  
 7111 That Goes Double—Russ Columbo (19 min.) July 29

## NEWSWEEKLY NEW YORK RE- LEASE DATES

### Universal News

151 Wednesday ..June 7  
 152 Saturday ....June 10  
 153 Wednesday ..June 14  
 154 Saturday ....June 17  
 155 Wednesday ..June 21  
 156 Saturday ....June 24  
 157 Wednesday ..June 28  
 158 Saturday ....July 1  
 159 Wednesday ..July 5  
 160 Saturday ....July 8  
 161 Wednesday ..July 12  
 162 Saturday ....July 15  
 163 Wednesday ..July 19  
 164 Saturday ....July 22  
 165 Wednesday ..July 26

### Pathe News

35145 Sat. (O.)..June 3  
 35245 Wed. (E.)..June 7  
 35146 Sat. (O.)..June 10  
 35246 Wed. (E.)..June 14  
 35147 Sat. (O.)..June 17  
 35247 Wed. (E.)..June 21  
 35148 Sat. (O.)..June 24  
 35248 Wed. (E.)..June 28  
 35149 Sat. (O.)..July 1  
 35249 Wed. (E.)..July 5  
 35150 Sat. (O.)..July 8  
 35250 Wed. (E.)..July 12  
 35151 Sat. (O.)..July 15  
 35251 Wed. (E.)..July 19  
 35152 Sat. (O.)..July 22  
 35252 Wed. (E.)..July 26  
 (End of 1932-33 Season)

### Fox Movietone

79 Wednesday ..June 21  
 80 Saturday ....June 24  
 81 Wednesday ..June 28  
 82 Saturday ....July 1  
 83 Wednesday ..July 5  
 84 Saturday ....July 8  
 85 Wednesday ..July 12  
 86 Saturday ....July 15  
 87 Wednesday ..July 19  
 88 Saturday ....July 22  
 89 Wednesday ..July 26

### Paramount News

89 Saturday ....June 10  
 90 Wednesday ..June 14  
 91 Saturday ....June 17  
 92 Wednesday ..June 21  
 93 Saturday ....June 24  
 94 Wednesday ..June 28  
 95 Saturday ....July 1  
 96 Wednesday ..July 5  
 97 Saturday ....July 8  
 98 Wednesday ..July 12  
 99 Saturday ....July 15  
 100 Wednesday ..July 19  
 101 Saturday ....July 22  
 102 Wednesday ..July 26

### Metrotrone News

273 Wednesday ..June 7  
 274 Saturday ....June 10  
 275 Wednesday ..June 14  
 276 Saturday ....June 17  
 277 Wednesday ..June 21  
 278 Saturday ....June 24  
 279 Wednesday ..June 28  
 280 Saturday ....July 1  
 281 Wednesday ..July 5  
 282 Saturday ....July 8  
 283 Wednesday ..July 12  
 284 Saturday ....July 15  
 285 Wednesday ..July 19  
 286 Saturday ....July 22  
 287 Wednesday ..July 26



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, JULY 8, 1933

No. 27

## The Number of Pictures Produced by Independents in 1932-33

In the issue of March 11, I gave you a list of pictures the major companies had promised for the 1932-33 season, the number they had released up to that time, and the number they owed you. In order to make the list of all pictures that were to be produced during this season, I promised to obtain and print a list of the independent pictures. I am now in a position to do so.

Before giving you a list of the independent feature pictures, however, let me bring the major companies' pictures up-to-date:

**COLUMBIA:** Pictures sold, 48—32 features and 16 westerns. Up to "What Price Innocence?" released July 1, they have delivered all the westerns and 25 features, leaving seven features due. Fear has been expressed by some exhibitors that 6 of the 7 features, which are of the "B" classification, will not be delivered. I put this matter up to Jack Cohn and was told by him that Columbia will deliver every one of the pictures it has sold.

**FIRST NATIONAL:** This company sold 30. Up to "Goodbye Again," scheduled for release July 22, this company will have delivered 23, leaving 7 due.

**FOX:** Forty-two sold, and 42 delivered up to the August 4 release, which is "Shanghai Madness." "State Fair" and "Cavalcade" are not included in this number; they were specials.

**KBS TIFFANY:** Eighteen were sold—8 Ken Maynards and 10 regulars. Thirteen have been delivered—8 Maynards and 5 regulars. The remaining 5 will not be delivered.

**MGM:** Forty-six regulars were sold, 29 will have been delivered up to the July 28 release, which is "Another Language," leaving 17 due. In addition to these, 4 specials were sold—"Grand Hotel," "Strange Interlude," and two Dresslers. The first 2 have been delivered, but not the 2 Dresslers.

**PARAMOUNT:** Sixty-five maximum were sold, 59 will have been delivered up to "Midnight Club," which is scheduled for release July 28, closing the season. This leaves 6 due; but Paramount is not under an obligation to deliver them because no minimum number is specified in the contract.

**RKO:** Fifty-four regulars were sold, but the number was later reduced to 43; also 6 Tom Keene westerns. So far all the westerns have been delivered but only 39 of the regular features, leaving nine due. In addition, two specials were sold—"Bring 'Em Back Alive," and "King Kong," which have been delivered. These were augmented with one more—"India Speaks."

**RKO PATHE:** This company owed one Constance Bennett from the previous season; they delivered it—"Rockabye."

**UNITED ARTISTS:** The number promised was indefinite; they have so far delivered 11.

**UNIVERSAL:** This company sold 28 regular features; up to "Her First Mate," scheduled for release August 3, it will have delivered 22, leaving 4 due. It sold also 3 Mix westerns, which it has delivered. In addition, it has delivered the following specials—"Rome Express," "Be Mine Tonight," "Igloo," "The Fighting President," and the reissue "King of Jazz." "The Big Cage" it has delivered for "Laughing Boy," production of which it has given up as a result of pleadings from this office.

**WARNER BROS.:** Sold 30; up to the July 29 release, which is to be "Mary Stevens," it has delivered 23; it still owes 7. It sold also six westerns, which it has delivered, or will deliver. In addition, it delivered "Untamed Africa," and one owed from the 1931-32 season—"Ladies They Talk About," with Barbara Stanwyck. "Gold Diggers" is being included in the 1933-34 group.

**WORLD WIDE:** This company sold 11 but it delivered only 4: "The Crooked Circle," "Breach of Promise," "Trailing the Killer," and "Hypnotized." It will not deliver the others.

## INDEPENDENT PICTURES

The following is the number of independent pictures that I have been able to compile. If any producer notices that some of his pictures have been left out, he may so inform this office and their titles will be given in another issue.

**CHESTERFIELD PRODUCTIONS:** Seven produced: "Midnight Lady," "Beauty Parlor," "The King Murder," "Women Won't Tell," "Strange People," "Love Is Like That," and "I Have Lived." TO BE PRODUCED, 2: Neither yet titled.

**LARRY DARMOUR:** Seven produced: "House of Chance" (which in some localities is released as "Cheating Blondes"), and 6 of the Mickey McGuire series. TO BE PRODUCED: Plans indefinite. Perhaps one more of the Mickey McGuire series, but producer is not sure that he will start it this season.

**PHIL GOLDSTONE (Majestic):** Eight have so far been produced: "The Crusader" (which in some localities is released as "Should a Woman Tell?"), "Unwritten Law," "Vampire Bat," "World Gone Mad," "Sing, Sinner, Sing!" "Curtain at Eight," "Phantom Express," and "Hearts of Humanity." TO BE PRODUCED, 2: "Woman in the Chair," and one not yet titled.

**HELBEL PICTURES:** The product of this company will be sold in the 1933-34 season.

**ALBERT HERMAN (Eagle):** One: "Big Chance." TO BE PRODUCED: Plans uncertain.

**M. H. HOFFMAN (Allied):** Fifteen produced (five of which are westerns): "File 113," "Vanity Fair," "Unholy Love," "The Stoker," "The Boiling Point," "Parisian Romance," "The Ironmaster," "Officer 13," "The 11th Commandment," "A Shriek in the Night"; (westerns) "Man's Land," "Cowboy Counsellor," "The Intruder," "Dude Bandit," and "The Fighting Parson." TO BE PRODUCED, 8: "State's Evidence," "Phantom Ship," "Davey Jones' Locker," "Red Kisses," "One Year Later," "Slightly Used," "Boots of Destiny," and one untitled.

**IRVING PICTURES:** Produced, 2: "Scarlet Weekend," and "Racing Strain."

**INVINCIBLE PICTURES:** Six produced: "Escapade," "Forbidden Company," "The Thrill of Youth," "Slightly Married," "Secrets of Woo Sin," and "Forgotten." TO BE PRODUCED, 2: Neither yet titled.

**WILLIS KENT:** Produced, 2: "Sucker Money," and "Sinister Hands." TO BE PRODUCED: Probably 4, not yet titled.

**BURTON KING (Freuler Associates):** Produced, 7: "Fighting Gentleman," "Gambling Sex," "Penal Code," "Kiss of Araby," "When a Man Rides Alone," "Deadwood Pass," and "Savage Girl." TO BE PRODUCED: Plans indefinite.

**NAT LEVINE (Mascot):** Produced, 2: "Pride of the Legion," and "Laughing at Life." TO BE PRODUCED, 1: Not yet titled.

**RALPH LIKE:** Produced, one: "Easy Millions." TO BE PRODUCED: Probably 4, not yet titled.

**MONOGRAM:** This company will produce 32 pictures in the entire season, sixteen melodramas and sixteen westerns. The titles of these appear in the Indexes of HARRISON'S REPORTS. Up to the release of July 1, which is "The Sphinx," it has released all the westerns, and twelve of the

(Continued on last page)



### "Gambling Ship" with Cary Grant and Benita Hume

(Paramount, June 30; running time, 70 min.)

A fairly exciting gangster melodrama. Since both the hero and the heroine are crooks, one does not feel much sympathy for them. There is no human interest. All the excitement is brought about by the rivalry between two gangster factions, who shoot it out at different times; most of this happens in the second half.

The hero, a New York gangster leader, leaves for California after being acquitted of a murder charge. He is determined to relax and give up his gangster activities. On the train he meets the heroine, who poses as an aristocratic lady, but who is really the mistress of a prominent gambler in California. They fall in love with each other, neither knowing about the past of the other. Once in California the heroine promises to telephone the hero. But that night her lover tells her he needs money to pay off his rival who would kill him otherwise. She promises to obtain it for him and tells him also that she will stick to him. For that reason she does not call the hero. In the meantime the hero is induced by a henchman to invest money in the gambler's ship. His purpose in doing this was to wipe out the rival gambling ship owned by a gangster who had framed him in New York. Using strong-arm methods he gets the crowd to come to his ship. The heroine comes there too and for the first time learns who the hero really is. She tells him it does not matter, but still she does not tell him about herself. The gangster rival throws a bomb on the hero's ship. An investigation by the district attorney follows and through this the hero learns about the heroine and her connections with the gambler. He is furious. The three go back to the ship and are followed there by the rival gangster. They kill the gambler; realizing that they did not stand a chance against the gang, the hero releases the anchor chain; waves pour over the deck and sweep the gangster and his men into the sea. The hero and the heroine manage to escape to safety; they both promise to give up their old life.

The plot was adapted from a story by Peter Ruric. It was directed by Louis Gasnier and Max Marcin. In the cast are Jack LaRue, Roscoe Karns, Glenda Farrell, Arthur Vinton, and others.

Not suitable for children, adolescents, or for Sundays.

### "College Humor" with Richard Arlen, Jack Oakie and Bing Crosby

(Paramount, June 23; running time, 80 min.)

A fairly entertaining musical comedy; the story cannot be taken seriously but the tunes are catchy, and the comedy at times very funny. Radio fans who know and listen to Bing Crosby will be entertained to their heart's content; he sings many songs in the crooning manner he is famous for. Since the background is that of a college, the usual football game has been worked into the story with all the old trimmings—the hero's team wins in the last minute. Burns and Allen appear just twice in the picture but each time they do they are greeted with howls of laughter.

Richard Arlen and Jack Oakie are students at the same college and both are on the football team. When Jack's sister comes as a student to the college Richard falls in love with her, but she is flirtatious and has her eye on Bing Crosby, one of the instructors. She goes to a dance with Crosby and Richard breaks training rules by leaving his room to go in search of her. It is the night before a big game and he becomes drunk. Crosby finds him a short time before the game and brings him to Oakie. Oakie sobers him up and although the game is won by Richard's good playing he is expelled from the school because of his conduct. Jack becomes the star football player. The next term his team is to play against a rival college and to win the game means much to Jack's college. Cheered on by a former pal Jack comes through and wins the game in the last minute. Jack's sister and Crosby are married.

The plot was adapted from a story by Dean Fales. It was directed by Wesley Ruggles. In the cast are Mary Carlisle, Lona Andre, Mary Kornman, and others.

Suitable for children, adolescents, and for Sundays.

### "Bed of Roses" with Constance Bennett and Joel McCrea

(RKO, Rel. date not set; running time, 65 min.)

Ordinary entertainment. The theme, that of a kept woman who suddenly falls in love with a poor but honest man, has been done many times and offers no novel twists. The comedy is rough and even vulgar. The heroine, who is

mercenary and immoral, does not arouse sympathy even though she repents in the end and gives up her former way of living. Audiences who like Mae West will find Pert Kelton very amusing for she talks and acts in a similar manner; but almost everything she is given to say is dirty.

When the heroine and her pal are released from the reformatory they set out with one thought in mind—to get as much money from men as they can. Their first victims are two men on the boat to New Orleans. When the heroine is accused of having stolen money from the man's pocket she jumps off the boat and swims towards a barge owned by the hero. He takes her aboard and while doing so the money that she had stolen falls from her stocking into the water. She is furious at the hero. The next morning, when they dock at New Orleans, she takes money from the hero's coat and leaves the boat before he arises. Through a ruse she becomes acquainted with a wealthy bachelor and before long he provides her with a luxurious apartment, jewels and clothes. She visits the hero and repays the money she had stolen from him. They become good friends and eventually fall in love with each other. When he proposes to her she does not tell him about herself but accepts. Her lover does not want to lose her and makes her believe she cannot give up luxury. In order to test herself she jilts the hero and goes to work to see if she can be happy without luxuries. The hero, with the help of the heroine's pal, calls to see her and tells her that he knows all about her but wants to marry her regardless of her past.

The plot was adapted from a story by Wanda Tuchok. It was directed by Gregory La Cava. In the cast are John Halliday, Franklin Pangborn, and others.

It may be a good entertainment for stag parties but it is altogether unsuitable for the family circle. Keep children and adolescents away from it.

### "Tomorrow At Seven" with Chester Morris and Vivienne Osborne

(RKO, June 9; running time, 60½ min.)

This murder mystery holds the spectator in fairly tense suspense throughout; the usual props such as lights going out, windows suddenly opening, shadows on the wall, mysterious figures prowling around, are used to get eerie effects. Some of the situations are very exciting, particularly the one in which a group of people take an aeroplane trip and one of the passengers is killed. The closing scenes are fast-moving and hold one on edge because of the danger to the lives of both the hero and the heroine. The comedy, that of the two dumb detectives who do not know how to solve the murders, is fairly good:—

The police are baffled by the clever murders committed by a man known only as the black ace. The hero, a novelist, calls on a prominent man whose intimate friend was one of the latest victims, and this man promises him help and money to uncover the murderer. The heroine, whose father is this man's secretary, and who had met the hero on the train, suggests that, since a warning had been sent to her father's employer, too, they should board an aeroplane and be in the air at the time the murderer had promised to strike. They leave for the trip, accompanied by two annoying detectives who think they are smart, but really are stupid. At seven o'clock, while they are in the air, the lights go out and when they are put on again the heroine's father is found murdered. Everyone is shocked. The pilot is suspected because he had left his post a few minutes before, leaving his relief pilot in his place. They go to the employer's farm and the hero telephones for a coroner. When the man arrives he finds a letter in the dead man's pocket in which he names the murderer. The lights suddenly go out and the letter disappears. Later that evening the hero accuses the heroine of having taken the letter and she confesses, saying she was afraid it might have involved her father. They go to look for the letter and find it is gone. The employer accuses the hero of being in league with the murderer. But eventually, after some terrific fighting and danger to the hero, the hero proves that the murderer is none other than the employer. He also reveals that he had been helping the police uncover the criminal's identity. The hero and the heroine, having fallen in love, are united.

The plot was adapted from a story by Ralph Spence. It was directed by Ray Enright. In the cast are Allen Jenkins, Frank McHugh, Henry Stephenson, Grant Mitchell, Charles Middleton and Cornelius Keefe.

Children may be frightened; otherwise suitable for them and for Sundays.



### "Emergency Call" with Bill Boyd and Wynne Gibson

(RKO, May 26; running time, 60 min.)

A fast-moving action melodrama. Comedy relieves the tension. The audience is held in suspense throughout, particularly in the second half when the hero and his pal decide to fight the racketeers who had invaded the hospital. The situation showing the death of the pal on the operating table is pitiful. Because gangsters are not glorified but are punished for their misdeeds, their acts are not demoralizing:—

The hero, an interne in a city hospital governed by his prospective father-in-law, (superintendent) is shocked when he finds out that he is working hand in hand with racketeers, giving them private information. He is determined to put a stop to this, and is encouraged by his pal, an ambulance driver. The head of the gang gives orders to his men to kill both the hero and his pal. They send in an emergency call to the hospital and the hero and his pal rush to the address given. They come to a dark warehouse and when they do not find anyone there the pal calls the hospital. While he is talking to the operator he is stabbed by one of the gangsters who was hiding behind a box. The telephone operator at the hospital, suspecting foul play, calls for the police and they rush there. They come in time to save the hero who was fighting the gang and rush the pal to the hospital. The hero operates on him. The pal's sweetheart, a nurse in the hospital, watches from the outside. The pal dies during the operation. Knowing that he had done everything correctly the hero is shocked. He suddenly realizes that it must have been bad either which the superintendent had bought from the gangster. He accuses the superintendent, threatening to tell the police all. The gangster, who had overheard the conversation, knocks the hero unconscious. The superintendent speaks to the racketeer leaving the inter-office communicating telephone open so that his secretary overhears the conversation. The racketeer shoots him and in an effort to escape goes into the nurse's room. Recognizing him as her sweetheart's murderer, she kills him. She is tried and acquitted.

The plot was adapted from a story by John B. Clymer and James Ewens. It was directed by Edward Cahn. In the cast are William Gargan, Betty Furness, Reginald Mason, Edwin Maxwell, George E. Stone, and others.

Because of the gangster element you will have to use your judgment about showing it to children or on Sundays.

### "Hold Your Man" with Jean Harlow and Clark Gable

(MGM, July 7; running time, 84½ min.)

A sexy melodrama that is just fairly good entertainment. The first half is rather slow, depending for much of its comedy on risqué situations. The second half is fast-moving. The scenes in the prison in which the girls help the heroine to meet the hero and marry him are dramatic and at times emotional. It is not until these closing scenes that one sympathizes with the hero and the heroine for until that time they are shown as being dishonest and common—the hero being a crook and the heroine a woman of the streets. Of course, their eventual regeneration in some way softens the demoralizing effect such characters have:—

In an effort to escape from the police, who were chasing him for having defrauded a man of forty dollars, the hero rushes into the heroine's apartment and she hides him. They become friends and eventually lovers. They decide to work a racket by having a married man call on the heroine, after which the hero is to enter the apartment and accuse the man, demanding money for silence. The heroine goes through with her part of it but when the hero enters he is so jealous of the fact that another man had been there that he throws the man out. When the man refuses to leave the hero punches him and he falls to the ground. The hero and the heroine decide to get married and rush to the marriage bureau for a license. They return to the apartment only to find a crowd there and to learn that the man the hero had punched was dead. The hero runs away leaving the heroine alone. She is recognized, arrested, tried and sent to prison for three years. She is miserable for several reasons: she knows she is going to have a baby, and she misses the hero. Her cell-mate, a former sweetheart of the hero's and the heroine's enemy, is freed. She tells the hero about the heroine; he in turn tells her that the heroine had been good to her, that it was she who had sent her a certain amount of money. This makes her want to do something for the hero-

ine and the hero. She takes him to the prison on visiting day and he is hidden in the church. With the help of some of the other prisoners they bring the heroine to the church and a colored preacher, who had been visiting his daughter, marries them. In the meantime, the matron, who had become suspicious of the hero, had called the police and they break into the church just as the ceremony is finished. The hero is arrested and sentenced to prison. Upon his release he joins the heroine and his child; they determine to go straight.

The plot was adapted from a story by Anita Loos. It was directed by Sam Wood. In the cast are Stuart Erwin, Dorothy Burgess, Muriel Kirkland, Garry Owen, and others. Unsuitable for children, adolescents, or for Sundays.

### "Arizona to Broadway" with James Dunn and Joan Bennett

(Fox, June 23; running time, 66 min.)

Just program grade entertainment. The story is not very plausible, but audiences that are not too particular may be amused with the antics of Sammy Cohen; occasionally he is quite funny. The closing scenes are fairly exciting—the hero outwits the gangsters by playing a trick on them that they had planned to use on him.

In the development of the plot the heroine enlists the aid of the hero, a petty swindler, to get back from some racketeers \$20,000 which they had stolen from her brother and which involved him in a scandal. The hero, in order to get his pals to help him, tells them that once they obtain the money he will not give it to the heroine but will divide it amongst themselves. They believe him and are successful in outwitting the racketeers and getting back the money. The hero suddenly disappears and both his pals and the heroine think he double-crossed them. But he turns up and tells them that he had sent the money to the heroine's brother. Since the hero and the heroine love each other the pals forgive him. He promises the heroine to live a straight life.

The plot was adapted from a story by William Conselman and Henry Johnson. It was directed by James Tinling. In the cast are Herbert Mundin, Theodore Von Eltz, Merna Kennedy, and others.

Not suitable for children, adolescents, or for Sundays.

SUBSTITUTION FACTS: This is replacing No. 23, which is listed on the contract as "Apartment House Love," from a story by Whitney Bolton. It is a story substitution.

### "The Return of Casey Jones" with Charles Starrett and Ruth Hall

(Monogram, May 25; running time, 66½ min.)

Just a fair railroad melodrama of program grade. It is slow in the beginning, but it picks up some speed in the second half. The spectator's attention is held fairly well because of the human interest in the story and the sympathy one feels for the hero. The closing scene showing the hero fixing the engine while the train was proceeding at a fast pace, thus averting a wreck, is quite exciting:—

The hero is a railroad engineer, and always keeps in mind the idol of his boyhood days Casey Jones, a crack engineer who gave his life in the service of the company. He is in love with the heroine and she returns his love. War is declared and the hero is ready to enlist when his mother suffers a heart attack. He is forced to curb his enthusiasm to go to war, and many of the people mistake his sacrifice for cowardice. He is in a wreck and his fireman, who had turned yellow, swears falsely, involving the hero in a scandal. He is discharged and the heroine refuses to see him. Because of the pleas of an old friend the hero is re-instated but as a fireman, not as an engineer. While on a trip with a passenger train there is engine trouble and the engineer realizing that he could not stop the train, which meant a wreck, is paralyzed with fear. The hero risks his life to fix the defective part, just in time to avoid a crash with another train. He is honored for bravery, is promoted, and wins back the love of the heroine.

The plot was adapted from a story by John P. Johns. It was directed by J. P. McCarthy. In the cast are Robert Elliott, George Hayes, Jackie Searl, George Walsh, Margaret Seddon, and others.

Suitable for the whole family and for Sundays.

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regular melodramas, owing four—"The Ape," "Skyway," "Devil's Mate," and "God's Country."

**SIG NEUFELD (Premier):** Produced, eight: "Discarded Lovers," "Shop Angel," "Drifting Souls," "Exposure," "Red-Haired Alibi," "Daring Daughters," "Reform Girl," and "The Important Witness." **TO BE PRODUCED:** Plans indefinite.

**PARADISE:** Produced, 2: "Girl in the Cab," and "Divorce Racket."

**PRINCIPAL PICTURES:** Produced, 1: "Beneath the Sea with Williamson."

**POWERS (British):** Released, 16. To be released, none.

**FANCHON ROYER:** Produced, None. **TO BE PRODUCED,** 3: "Neighbor's Wives," "For Value Received," and "Trouble Doubles."

**SUNRISE PICTURES:** Produced, 6: "When Men Marry," "Private Scandals," "Out of Singapore," "Bachelor Mother," "Midnight," and "Jungle Passion" (tentative title). **TO BE PRODUCED,** 2: neither yet titled.

**RICHARD TALMADGE:** Produced, 4: "Scare Heads," "On Your Guard," "Speed Madness," "Get That Girl." **TO BE PRODUCED,** 1, to be started soon.

**GEORGE WEEKS (Mayfair):** Produced, 13: "Her Mad Night," "Malay Nights," "Midnight Warning," "Sister to Judas," "Revenge at Monte Carlo," "Justice Takes a Holiday," "No Living Witness," "Her Resale Value," "Alimony Madness," "Dance Hall Hostess," "Heart Punch," "Behind Jury Doors," and "Riot Squad." **TO BE PRODUCED,** 2: "Tangled Lives" (tentative title), and 1 untitled.

**MISCELLANEOUS FEATURES:** "Big Drive," "Goonie Goonie," "Maedchen in Uniform," "M," "Forgotten Men," "Seventh Commandment," "Four Aces," "Sign of the Four," "Woman in Chains," "Hotel Variety," "Jungle Killer," "What Price Decency?" "Wives Beware," "Manhattan Tower," "Mazie," "Face on the Barroom Floor," "Isle of Paradise," "Joseph in the Land of Egypt," "Black King," "Bugle Calls on the Rhine," "City of Song."

The number of pictures of all classes so far delivered is as follows:

Major companies .....	338
Independents .....	161
<b>Total Number .....</b>	<b>499</b>

The number of pictures due or to be produced is as follows:

Major companies .....	51
Independents .....	28
<b>Total Number .....</b>	<b>79</b>

Probably some of the Major companies' pictures owed will not be delivered.

## THE CLAUSE FOR REPLACEMENT AND REPAIR PARTS IN THE ERPI CONTRACT ILLEGAL

By a decision handed down in the District Court, at Wilmington, Delaware, on June 28, Judge John P. Neilds declared illegal and void the clause in the ERPI contract which requires the exhibitor to purchase his repair and replacement parts from ERPI. Judge Neilds granted to Stanley Company of America, a subsidiary of Warner Bros., a preliminary injunction.

The decision does not say anything about service, but laymen with whom I have discussed the matter are of the opinion that also the clause compelling the exhibitor to pay ERPI for a weekly service is affected. But, before taking it for granted that the service clause is included, consult your lawyer about it. In the meantime, I shall try to obtain the opinion of counsel and print it in HARRISON'S REPORTS.

## COLUMBIA'S SEWAGE

About one week before Harry Cohn, producer of the pictures for Columbia Pictures Corporation, left for Europe I met him in his office and was requested by him to convey to you the following message:

"Pete! You may tell the exhibitors that Columbia will never release another picture like 'So This Is Africa!' I told Wheeler and Woolsey that people will not stand for the dirty expressions they were putting into the dialogue but they replied that the picture-going public are used to our kind of comedy and will not object to it. We had to cut down the feature to four reels in some places in order for the film to get by."

When Harry Cohn made that statement I felt that he meant what he said, but his release of "What Price Innocence?" proves the contrary.

As I said in my review last week, the picture is suitable for clinics where physicians or educators could teach parents the necessity of instructing their children in sex matters so that they might know how to protect themselves, thus avoiding the sad consequences such as befell the young heroine of the picture; but it is not for general circulation.

Unless you are able to show "What Price Innocence?" to unmixed audiences at special performances, under the auspices of either a medical or a civic association, you may bring your community's wrath down upon your head.

My suggestion to you is to inform the exchange to take it off your contract at once, and if the branch manager should try to force you into paying for it call on every minister, priest or rabbi, as well as the president of every civic or fraternal association in your community and let them read the correspondence. Point out to them that Will H. Hays for the millionth time has demonstrated that he has neither the power nor the will to stop indecent pictures.

## THE N.A.M.P.I. PROGRESSES

The National Association of the Motion Picture Industry is growing fast. The third meeting was attended by a greater number of individual unit distributors and independent producers, and the next meeting, which is to be held Monday, July 10, instead of Thursday, July 6, as originally announced, is expected to be attended by a still greater number.

The last meeting was honored by Mr. Abram F. Myers, general counsel of Allied States Association, at an invitation from the chairman. Mr. Myers left an industrial meeting he was attending at Atlantic City to be present. Needless to say that his presence acted as a sort of stimulant to the independent producers and distributors, who look forward with great pleasure to a co-operation between the two organizations to the end that a code answering the wishes of both bodies may be finally approved and presented to the Administrator. He spoke and his words were received with applause.

The industry has received the announcement of the formation of this new organization with seriousness, if one is to judge by the communications the chairman has received from organized units of other branches of the industry. One of such communications came from Mr. Frank Woods, chairman of the organization that has been formed to take care of the interests of employees, in Hollywood.

By the time you receive this copy the organization committee, which was appointed by the chairman on the strength of a unanimous resolution passed at the June 14 meeting empowering it to make such an appointment, may have decided the date and place for the Code Convention. Every organized unit of the industry will be invited to attend this convention and to present its own code.

The names of the members of the incomplete N.A.M.P.I. committee are the following:

Frank Wilson, Secretary, Principal Pictures; P. A. Powers, Treasurer, Celebrity Pictures; Robert Savini, Amity Pictures; Lester Adler, Syndicate Pictures; Jack Bellman, Hollywood Pictures; William Pizor, Imperial Pictures; Pop Korson, Masterpiece Attractions (Philadelphia); Frank D. Ferrone, Screenart Pictures; Cy Braunstein, Imperial Pictures; J. S. Kessler, Mascot Pictures; Herman Glucksman, Majestic Pictures; Alfred Mannon, Imperial Pictures; Sam Flax, Liberty Film Exchange (Washington); Charles L. Glett, Monarch Pictures; P. S. Harrison, Chairman *ex officio*.

## ODDS AND ENDS ON THE FOX SUBSTITUTIONS

"Hello, Sister!" (13) is not a substitution.

"Little Teacher" (19) has not yet been produced.

"Infernal Machine" (17) cannot be declared a substitution, because "On Parade," for which it has been delivered, was not described in the contract.

"Shanghai Madness" (22) cannot be declared a substitution, because no description of No. 22 was given in the contract.

"Humanity" (31) is a star substitution and it was so stated in the review which was published in the issue of March 4, on page 34.

This substitution analysis, along with that which was printed in the June 17 issue, covers the entire Fox product.

If your contract contains "Pilgrimage" and the Fox exchange has asked you to sign a Rider releasing the Fox Film Corporation from the obligation of delivering it, do not comply with their request.



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## THE QUESTION OF DOUBLE FEATURES

One of the questions that are now agitating the minds of almost every one in the motion picture industry is that of showing two features on the same bill.

Although there are many exhibitors and some exhibitor leaders who wish to see double-featuring discontinued, the ones who are opposed to the practice most vehemently are the major companies; and among these, those that are selling short subjects are in the front line.

According to the July 8 issue of *Motion Picture Herald*, W. J. Kupper, western sales manager for the Fox Film Corporation, stated at the convention of the Fox sales forces at Atlantic City, last week, that "if the clause banning double-featuring is ultimately adopted, an immediate improvement in the short subject field will develop." "In urging Fox salesmen selling Educational product to boost short subjects," the *Moving Picture Herald* states, "he indicated by figures his conviction that if the proper stimulus is placed behind shorts the revenue coming from them could easily be between 30 and 40 per cent of the gross rolled up by feature sales."

You thus see that the efforts of the big companies to put an end to double-features is prompted by a desire, not to improve business methods in the industry, not even to elevate its artistic standards, but to give the short-subject selling major companies an opportunity to "roll up" more grosses for their short subjects—perhaps thirty or forty per cent of the grosses "rolled up" on features. According to my information, Felix Feist, general manager of sales and distribution for the Metro-Goldwyn-Mayer corporation, brazenly admitted that such was his company's motive when the question was put to him bluntly last week. It is not idealism that prompts them, as said, to fight the double features, but purely and simply mercenarism.

This paper is not advocating the playing of double features and is not opposed to such a policy; it merely refrains from taking sides, leaving the question to those who are interested to determine what their policy should be. But because the issue has been beclouded not only by the major producers but also by an exhibitor organization that is supported by producer money, HARRISON'S REPORTS has studied the question carefully and is presenting its findings to you so that you, the independent theatre owners, may determine whether the elimination of double features will be to your advantage or to your disadvantage.

If the independent producer-distributors are alive today, able to carry on, despite the stranglehold the major companies exerted on the industry for more than ten years, particularly since the year talking pictures came, it is owed solely to the double-feature policy of many exhibitors who, deprived of first-run, second-run, third-run and often of even fourth-run by the monopolistic policy of the producer-exhibitors, resorted to double-featuring as the only means by which they could stay open. They could not survive by playing pictures that were, not only milked dry in their respective localities, but covered by cobwebs; by playing an independent feature along with a major company old feature acted by well-known stars, or two independent features on the same bill, they were able, not only to pay expenses, but also to make a profit. This naturally sustained the independent producers in life.

The elimination of double features will reduce the feature pictures needed by at least eighty. Such a reduction will naturally come from the ranks of the independents. And the figures published in last week's issue of HARRISON'S REPORTS show that eighty features are nearly half the total number of pictures the independents produce.

If the independents were to be told to reduce the number of pictures they make a year by eighty, you may rest assured that not a single independent of any consequence

could stay in business. And what will happen if the independents were to be wiped out?

At a recent meeting of the independent producer-distributor organization of which I happen to be temporary head, a unanimous resolution was passed to take out of our tentative code the elimination of the double feature clause, even though this clause was designed, not to prevent double featuring, but to forbid the affiliated circuits from showing two features on the same bill when their intention was to use up all the pictures so as to cause a shortage for their competitors, independent theatre owners. But because the spirit that prompted the framing of that clause was likely to be misinterpreted, I favored the resolution, leaving the matter up to each exhibitor to determine whether he wants to show two features on the same bill or not.

As far as our position before the administration on this question is concerned, let me say to you that the Industrial Recovery Act Administrator will be with us on any question where the reforms proposed will tend to give workers work. The elimination of the double-features will have a tendency to throw men out of work.

There is no question in my mind that some exhibitors are honest in their belief that double features are harmful to the industry as a whole. At the same time, it is not a serious problem for them, whereas for the independent producers and distributors it is a matter of life and death; and since we are seeking their good will so as to receive their help in the framing of a code that will (1) divorce theatres from production and distribution, (2) kill block-booking, and (3) establish the right of the exhibitor to buy any picture as long as he is willing to pay the price, three questions that are of immeasurable importance to the independent theatre owners, why not help them in the double-feature question? You need their help; therefore, you must be willing to sacrifice something, particularly since what you are asked to sacrifice is not of vital importance to you. The three questions I have just mentioned mean the life or death of your business. For this reason I feel it is unwise for you to allow yourselves to be diverted from the main questions on side issues. Your ability to get what you want from the President will depend on the justice of your cause, and on your ability to impress him with the fact that it represents the opinion of more than a handful of persons. Having the independent producers and distributors on your side will do two things—will prevent the major companies from saying to the President that every producer and distributor is in their camp, and will add a greater representation to your side.

## JUDGE NIELD'S DECISION AGAINST ERPI

Under date of July 7, Mr. Abraham F. Myers, general counsel of Allied States Association, issued the following statement touching upon the effect of Judge Nield's decision in the case of Stanley Company of America vs. Erpi:

"Federal Judge Nields of the District Court in Wilmington, Delaware, on June 28, handed down a decision in the cases brought by the Stanley Company (Warner Brothers), General Talking Pictures Corporation (DeForest) and Duovac Radio Corporation (a manufacturer of vacuum tubes) against Erpi and others which is of the utmost importance to all exhibitors having Western Electric equipment.

"The Court granted motions for preliminary injunctions made by the three plaintiffs, as follows:

"It is therefore submitted that an injunction pendente lite should issue herein in all three cases enjoining and restraining the defendants from enforcing directly or indi-

(Continued on last page)



### "Private Detective 62" with William Powell (Warner Bros., June 10; running time, 66 min.)

Good entertainment. It is a fast-moving melodrama, revolving around detectives and racketeers; but it is not demoralizing because the hero, although associated with a crook, is himself honest and unwilling to resort to crimes or trickery. The closing scenes are exciting: they hold one in tense suspense, for the heroine is plotted against by the villain, and it is only through the cleverness of the hero that she is saved. The love affair between the hero and the heroine, both of whom are sympathetic characters, is pleasant.

When the hero, a detective connected with the American diplomatic service, is caught with papers belonging to the French government, he is deported as an undesirable, and loses his own position because the American government cannot afford to claim him as one of their own men. He wanders from office to office, looking for work, and finally ends up as a partner to a disreputable and drunken detective. He makes of their business a highly successful venture, but is unaware that his partner is working hand in hand with a racketeer. This racketeer calls to see the partner and tells him they must get something on the heroine, who had been winning heavily in his gambling establishment. If they had something on her they would not have to pay her the winnings. The hero is assigned to the case but when he meets her he falls in love with her and refuses to work against her. Through a friend the heroine finds out that the hero is a detective and they part, for he cannot deny that he had been assigned to watch her. The partner and the racketeer involve the heroine in a "faked" murder when she calls to get her money from the racketeer, and after she leaves in fright the partner double-crosses the racketeer and actually kills him and takes the money that the heroine had left in her rush to leave. Frightened the heroine calls on the hero for his help, and he gets all the information together. He puts his partner into the hands of the police. He is finally reinstated in the diplomatic corps, and he and the heroine are married.

The plot was adapted from a story by Raoul Whitefield. It was directed by Michael Curtiz. In the cast are Margaret Lindsay, Ruth Donnelly, Gordon Westcott, James Bell, Arthur Byron, Arthur Hohl, and others.

Since gambling and racketeering is shown, you will have to use your own judgment about showing it to children or on Sundays.

Substitution facts: Kay Francis was promised with Powell but she does not appear in the picture.

### "Don't Bet On Love" with Lew Ayres and Ginger Rogers

(Universal, July 13; running time, 60 min.)

Poor! The story is so thin that it just barely holds one's attention. The most exciting incident is a horse race, which was to determine the hero's fate: a certain gambler, who had felt the hero was double-crossing him, threatened to kill him if he should win, while to lose meant that he would lose everything he possessed. The whole story revolves around the hero's passion for gambling on horse races and his uncanny knack of picking the right horse. He is an unsympathetic character because of his conceit and of the fact that in a race he attempts to pull a crooked trick.

In the development of the plot the heroine, on their wedding day, refuses to marry the hero because he had chosen Saratoga for their honeymoon and she suddenly realizes that it was the horse races that were drawing him there, when he had given her his promise that he would not gamble again. He leaves her and goes to Saratoga with a pal. He goes out with a gold digger, becomes drunk, and tells her how much he misses the heroine. He shows her letters which the heroine had returned unopened. The girl takes the letters. When the hero returns to his home town he gives his father some of the money which he had won. He is then sued by the gold digger for breach of promise, the suit being based on the letters she had stolen. The heroine is disgusted with the hero, but through a ruse he gets the letters back and proves to the heroine that he was not at fault. But still she refuses to marry him because he believes in gambling. He buys some ponies and enters one in a race. What he intends to do is not to use this pony but another faster one that he has. The night before the race he paints the other horse to resemble the one everybody had watched him train. On the day of the race he bets \$50,000 on his pony and a certain gambler, suspicious of these bets, threatens to kill the hero if he should win. He loses and with it all his fortune. He remains around the track hoping to pick up some easy money again but he goes from bad to

worse. His pal brings the heroine to the hero and they are reconciled; he goes back home to settle down in the plumbing business.

The plot was adapted from a story by Murray Roth, by whom it was directed. In the cast are Shirley Grey, Charles Grapewin, Tom Dugan, Merna Kennedy, and others.

Because of the gambling it is unsuitable for children, adolescents, or for Sundays.

### "The Sphinx" with Lionel Atwill

(Monogram, July 1; running time, 62 min.)

A gripping murder mystery melodrama of the horror brand; it holds one in suspense since not until the closing scenes is the mystery solved. The plot is somewhat ingenious—one sees the villain committing a crime and then hears him talk to somebody directly afterwards; yet when a man who is presumably the murderer is examined the police find that he is a deaf mute.

In the development of the plot the heroine, a newspaper reporter, visits the deaf man, and with the aid of his secretary obtains information about his life so as to write a story about him. The hero, sweetheart of hers, working on the same paper, objects to her going to the man's home because he feels that this man is the murderer, for he had been identified by two people as the person they had seen leaving the place where the crimes had been committed. The hero, fearing for the girl's safety, follows her to this home when she goes to have dinner with the man. He arrives there in time for the heroine had discovered the secret—the real murderer was the twin brother of the deaf mute. His scheme was to talk to people directly after a murder and when his brother was examined they could not find him guilty since doctors found that he was a deaf mute from birth. The police kill the deaf mute, but before they can arrest the villain he commits suicide. The heroine asks the hero to forgive her for having doubted his judgment and promises to marry him.

The plot was adapted from a story by Albert DeMond. It was directed by Phil Rosen. In the cast are Sheila Terry, Theodore Newton, Paul Hurst, Luis Alberni, Robert Ellis.

It might frighten children; otherwise suitable for them and for Sundays.

### "I Have Lived" with Anita Page and Alan Dinehart

(Chesterfield Pictures; running time, 65 min.)

Just fair program entertainment; it has been given a pretty good production. It moves rather slowly, particularly during the first half. Suspense is sustained in the second half when the heroine is threatened with exposure of her past unless she pays the villain. Feeling sympathetically towards her the spectator is in fear lest her romance be shattered because of this. The story presents little in the way of novelty, and the ending is quite obvious:—

The hero wants to produce a certain play but cannot find an actress to suit him to play the leading role. At a speak-easy he meets the heroine, one of the entertainers. When the place is raided he bails her out of prison and brings her to his home. He grooms her for the leading part and at the opening night she is a success. A young society man becomes interested in her, and she thinks she is in love with him. Threatened with exposure of her past by the people who ran the place where she formerly worked, she appeals to the hero, but he refuses to pay off the blackmailers. Thinking he does not care about her she tells him she is going to leave the show and marry the young society man. The blackmailers call to see her at the theatre and in a scuffle she is shot. The young society man leaves her when he finds out what she had been, but the hero rushes her to a hospital. She is happy the next day to find out that the hero is the one who really loved her, and since she, too, loved him they are united.

The plot was adapted from a story by Louis F. Heifetz. It was directed by Richard Thorpe. In the cast are Allen Vincent, Mathew Betz, Gertrude Astor, and others.

Not suitable for children, adolescents, or for Sundays.

### DOINGS OF THE NEW ASSOCIATION

Because the name "National Association of the Motion Picture Industry" was not available, the new independent producer-distributor organization has changed its name to "Association of the Motion Picture Industry." Mr. Jacob Schechter, of the firm of Schechter, Lottsch & Sulzberger, 500 Fifth Avenue, New York, has been appointed counsel.

The names of the completed Board of Directors will be given next week.



**"Disgraced" with Helen Twelvetrees***(Paramount, July 7; running time, 63 min.)*

Mediocre! It is unpleasant and offers nothing new in story treatment. In addition, it ends in a most abrupt manner, leaving the spectator dissatisfied, and forcing one to form an opinion as to what the conclusion might be. It seems as if the producer found himself in a "blind alley," and left it off as the easiest way out. Sympathy is felt for the heroine, who was sincere in her love and trusted the hero. But the hero is a despicable character, spineless and deceitful; although he deserved to be killed, one cannot condone a murder. There is little comedy relief:—

While modeling some clothes for a wealthy client, the heroine meets the client's fiance. He takes a fancy to the heroine and soon induces her to go out with him. The friendship turns into an intimate relationship and he promises to break off with his fiancee and marry the heroine. Each time the heroine speaks to him about it he puts her off with some excuses. She is ashamed, particularly since her father, a police captain, has faith in her. One day the hero's fiancee comes to the gown shop for her wedding dress and tells the heroine she is marrying the hero in a hurry because he insisted. The heroine forces the hero to meet her at their retreat and when she draws a gun he pushes her into a closet and calls the district attorney to send a man around. The man sent happens to be the heroine's father. When he discovers it is his own daughter he kills the hero, and orders the heroine to go home so that he might destroy the evidence. As she goes out she takes the gun and goes directly to the police and confesses to the murder. Despite her father's pleas she steadfastly refuses to change her story. As a last resort her father reconstructs the murder and in a daze she gives herself away. The father is arrested and at his trial makes his own plea for mercy.

The plot was adapted from a story by Alice D. G. Miller. It was directed by Erle C. Kenton. In the cast are Bruce Cahot, Adrienne Ames, Ken Murray, and others.

Not suitable for children, adolescents, or for Sundays.

**REMARKS ON THE SIROVICH RESOLUTION BY FRIENDLY CONGRESSMEN***(Continued from Page 99, June 24 Issue)*

KRAMER (Calif.): (Continued) "While Wall Street has been loading the public with motion-picture securities which are now worth but a small fraction of the savings invested in such securities, every effort has been made, both from without and from within the industry, to render those securities valueless. In order to effect monopolies, intangible assets have been set up, illegal combinations in restraint of trade have been made, and receiverships have been jammed through the courts with the object of centralizing under the control of utility monopolies every branch of the industry. On the inside, the practice of nepotism is almost universal, huge unearned salaries are paid to inactive executives and practically all of their relatives during times while great displays of the so-called 'economy' were being simulated.

"Workmen, actors, office employees, and artisans of every kind have been discharged at such a rate that the studios lie idle and deserted for most of the time. Those few employees remaining have taken a wage cut of 50 per cent; but while this is going on the millionaires in their executive positions still draw their unearned salaries. They have appointed a czar of the industry, who with sophomoric glee, has proceeded to haze the independent producers, to haze the writers, to haze the actors, to haze the employees, to haze the wage earners, and to haze the industry and the public in general and while all this is being done no real steps have been taken to halt the milking of the companies by those in charge. We need go no further than to the *Wall Street Magazine* for April 15, 1933, in an article written by Mr. C. F. Morgan to find a statement of the following nature:

"David Selznick has been production executive of RKO studios and under his regime—during which he is said to have drawn \$2,500 weekly—the studio failed to progress suitably, so his contract was not renewed. However, nepotism is still discernible in the studios, so his father-in-law, Louis B. Mayer, vice president and director general of MGM, hired him, the reported remuneration being \$4,000 per week. Whereupon the labor unions dashed back into their cyclone cellars, slamming the doors behind them, and Mr. Clarke groaned."

O'MALLEY (Wisconsin): (Extension of remarks) "... The rankest kind of frauds have been perpetuated on a large section of the investing public, due to the manipulations of certain picture producing and theatre operating

companies. This well organized monopoly of producers, through unfair devices, . . . has promoted and established itself to a point of absolute control of the motion picture business. . . .

"Why, gentlemen, if this committee were to confine itself to only one phase of the motion picture business it would more than justify creation and the small expense this House might be called upon to authorize. I refer specifically to the investigation of that phase of the motion-picture business under the domination of an organization known as the Motion Picture Producers and Distributors of America, headed by that clever and elusive gentleman, Mr. Will H. Hays.

"The organization headed by 'Elder' Hays has been directly responsible for the monopoly in the motion picture business. And this committee, if created, should be able to obtain evidence that the activities of Mr. Hays and his gang of motion picture racketeers, has subsidized and propagated private and business agencies to a degree unparalleled in American history. . . . Under the direction of Mr. Hays and his secret censorship bureau, many independent producers have been driven into bankruptcy. Theatre owners in every state have been forced to exhibit indecent and revolting pictures through (deleted) deals and questionable decisions rendered by censorship boards. The little Main Street theatre owners have been forced to pay the cost of not only Mr. Hays' own stupendous salary of \$250,000 a year, but to pay a 'racketeer tax' in order to support the costly organization that Will Hays and his crew have created to eliminate and destroy competition in every part of the motion-picture field.

"For years pleadings have been made for an investigation of the activities of the Hays organization. For years decent American citizens in every walk of life have tried to discover why this great industry has persisted in releasing upon a defenseless public a yearly deluge of obscene, moronic, and downright filthy pictures, some of them so morally rotten that even the motion-picture theatre owners rebelled against exhibiting them but had to take them or gain the enmity of the monopoly and be blacklisted. But somehow, through the activities of the censorship bureau with its whitewash brush, the connections Mr. Hays has maintained in Washington and the most powerful legislative lobby in the history of the country, this organized monopoly has succeeded time after time in openly and brazenly violating every anti-trust law ever written on the books and escaping every attempt to bring them to justice.

"I charge that this censorship bureau maintained by the Hays organization, instead of being used as its proponents have claimed to clean up the motion-picture industry, has been nothing but a means to the end of perpetrating and strengthening the motion-picture monopoly. They have cared nothing about the type of picture they forced the American public to be exposed to as long as their profits are guaranteed. Col. Jason Joy, one of the chief 'fixers' of the Hays crew, wrote a very interesting letter reporting his visit to censorship boards in the United States and Canada in 1932. This report of Colonel Joy's was addressed to Mr. Hays. In that report he gives some interesting information as to the true functions of this so-called 'censorship bureau.' In commenting on such pictures as 'The Strange Love of Molly Louvain,' a particularly morose descent into filth, Colonel Joy points out that this picture and others were passed by some of the boards only after 'earnest consideration and discussion with us.' It is entirely probable that these 'discussions' were such as to convince the boards to pass the pictures regardless of their filth because profits were involved. Further on in the Colonel's illuminating report he makes the following comment:

My suggestion on this score (score of filthy pictures) is entirely constructive. The number of such pictures in any one period (I assume to be released during any year) should be determined by their acceptability upon the part of the audiences. An overdose of this theme is bad economics.

"The Colonel's last statement, I am sure, means to convey to the makers of pictures that it does not matter how dirty they are as long as they are diplomatically spaced so as not to excite the public to too much of a protest. Thus the so-called famous Hays 'morality code,' around which so much publicity and propaganda has been fed the public, and around which Mr. Hays has built up an organization to insure the maintenance in the monopoly of the motion-picture business, is only to be used to keep the public from getting an overdose of filth to the point where they would rise up in arms and insist upon an investigation such as we are asking for here today. . . ."

*(To be continued)*



rectly the restrictive clauses of the so-called leases of reproducing equipments, whereby the exhibitors are required to obtain exclusively from Products (Electrical Research Products, Inc.) all repair and replacement parts for said equipment and to permit Products to inspect the same, and charge the exhibitor therefor, under the guise of rendering service thereto. In addition, in the suit of the Duovac Company, an injunction should issue pendente lite enjoining and restraining the defendants from directly or indirectly enforcing any of the provisions of the producing license agreements whereby the producing licenses of Products are required to obtain exclusively from Products, repair and replacement parts for producing apparatus.'

"The foregoing restrictive clauses were found by the Court to be 'illegal and void.'

### Allied's Position Vindicated

"The decision bears out Allied's contention, many times repeated, that the clauses in the Erpi Contracts relating to repair parts and service charges were in violation of Section 3 of the Clayton Act.

"Allied urged that Attorney General Mitchell bring a suit in behalf of all the exhibitors similar to that brought by the Stanley Company in behalf of its own house, but he took the position that the Government should not prejudice the parties to the pending litigation.

"Allied aided the Warner Brothers in their fight by furnishing affidavits as to the effect on the exhibitors of the restrictive clauses in question.

"The job now is to see that the benefits of the decision are extended to all Allied theatre owners.

### What It Means to You

"The clauses in question are declared illegal as matter of law, but the decree will apply only to the parties to the suits in which the decisions were handed down.

"Erpi undoubtedly will appeal from the ruling and it may be a matter of years before the question is finally determined.

"However, Allied is confident that the ruling is correct and will advise her members to protest further enforcement of the clauses in question and to demand the refund of all money extorted from them under these provisions. Forms for carrying out these suggestions will be sent to Allied leaders in a few days.

"Also the President will be petitioned to instruct the Department of Justice to reverse its policy now that the illegality of the contracts has been made plain, in order that relief applicable to all theatres may be had coincident with the final decision in the Stanley Case.

"The nature and form of the proceedings necessary to compel Erpi to disgorge, in case it does not do so voluntarily, will be the subject of future bulletins to Allied leaders."

### CAN A LEOPARD CHANGE HIS SPOTS?

The First National-Warner Bros. executives have decided to deliver their 1932-33 product eight pictures short. The following pictures will be withheld:

FIRST NATIONAL: 1 Special (704), 1 Ruth Chatterton (710), 1 E. G. Robinson (719), and 1 Joe E. Brown (730).

WARNER BROS.: 1 Barbara Stanwyck (408), 2 Paul Muni's (413 and 414), and 1 Kay Francis (420).

In addition to these changes, they will deliver "Voltaire," with George Arliss, as a Special (405), and "Captured," with Leslie Howard and Douglas Fairbanks, Jr., also as a special (406).

I spoke to one of the executives in an effort to find out the reasons for this action of theirs and was given many excuses. In the case of Muni, I was told by him that Muni could not find a story to suit him, and only lately he found one. I asked him why, since Mr. Muni has now found a story he wants, they do not produce it to deliver it to those who hold a contract for this star's pictures and was told by him that it would delay their production schedule, and would make it difficult for them to deliver the 1933-34 product.

The excuses he gave me for the Robinson, the Brown, and the Stanwyck picture are equally "fishy."

In the case of "Voltaire," let me say this: In the beginning of the season Warner Bros. did not think Mr. Arliss a box office asset good enough to place on the group of specials and put him in a group of his own among the regular releases. How is it that they feel he is entitled to a position in the group of specials now? They are putting also "Captured," with Leslie Howard and Douglas Fairbanks, Jr., on the group of specials; but Mr. Howard, al-

though an accomplished actor, does not mean much to the screen box office, particularly to those of small towns, and Fairbanks, Jr., has been always a First National star of the program group. By putting this picture on the list of specials, therefore, Warner Bros. are saving themselves from the obligation of delivering "Gold Diggers."

Many exhibitors have written me protesting against this policy of the executives of these two companies; they called my attention to the fact that, in the last two years, Warner Bros. have been advertising what "Warner Bros. promise, they deliver."

When talking pictures first came and Warner Bros. and First National were the "king pins," they were the most arrogant group of people any one had ever come across. There were no abuses they would hesitate to heap upon the exhibitors. I know of cases where their salesmen sold a picture or pictures and failed to mention anything about score charges, and the exhibitor, knowing nothing about the Old Army Game, would go home thinking he had a contract for the pictures. Imagine his surprise when just before the time the pictures were to be played he received a bill for score charges amounting almost to as much as the rental of the feature itself. One of such cases was that of Jim Anthony, of Pittsburgh, which nearly got them into trouble with the Department of Justice, because it happened after Judge Thatcher had rendered his famous arbitration decision.

The crave for talking pictures had passed: the depression came, and like other fellows who found themselves suddenly nigger rich and failed to take the necessary business precautions, got into trouble; their pictures were "terrible," and, since business was bad, their receipts dropped to nothing. There were days, as I had been informed, that no exhibitor would enter their exchanges. They were losing millions of dollars from their theatres, and they were not taking in enough money from their films to pay for the cost of the negatives. Harry Warner, in order to save the company, played his stock short, as he admitted last year before the Committee on Banking and Currency, like a jockey who bet against the horse he was riding.

The feeling of the exhibitors as a result of the treatment they received at the hands of their exchangemen, managers, and film menders, was so mean and contemptible that the exhibitors felt no pity for them in their misfortunes.

The Warner executives felt the contempt the exhibitors held for them very deeply, and when things eased up for them a little and they began to make better pictures they reversed their former policy and treated the exhibitor differently. Such a treatment was so courteous, so polite, so humane, that every one forgot the past insults. I myself was carried away by this spirit and not only overlooked many infractions but spoke a good word for them, orally and through the pages of HARRISON'S REPORTS, whenever I had an opportunity. When they attempted to take "Forty-Second Street" away from the exhibitors asking more money for it, I tried to placate the irate contract holders by telling them that the Warners had so much hard luck for a long time, and have shown so grand a fighting spirit, that the exhibitors should overlook an act which, though not ethical, might help the Warners to pull themselves out of their difficult position.

It seems, however, that when they saw how easy it was to get away with it they became bolder, and pulled out of the contract a picture that belongs to the 1932-33 contract holders—"Gold-Diggers of 1933."

Their success in these two cases seems to have emboldened them still more and they are now pulling out of the contract eight star pictures.

What should make you furious is not so much the attitude of Warner Bros. but that of some would-be exhibitor leaders who, without revealing the fact that their organization is supported by producer money, are trying to block genuine exhibitor leaders in their effort to bring about an elimination of such abuses by legislation. Every time we attempted to do something that would be of permanent good to the exhibitors and to the public, they joined forces with the Hays organization and blocked our efforts.

Don't waste any sympathy on Warner Bros., for "blood will tell." Have you forgotten the time when they sold you Clyde Fitch's modern society drama, "The Climbers," and delivered in its place a blood-and-thunder Spanish melodrama of the XIV Century? They are the same fellows now as they were then.

If what I hear from many exhibitors is carried through, Warner Bros. will have their hands full of lawsuits. And, believe me, this time there will be no exhibitor good-will back of them to bolster them up.



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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No. 29

### DOINGS OF THE ORGANIZATION OF INDEPENDENTS

The new organization of independent producers and distributors is now permanently organized and incorporated under the name, "Federation of the Motion Picture Industry, Inc." The other names were not available.

At a meeting of the board of directors last Monday, the following were elected officers:

P. S. Harrison, *President*  
M. H. Hoffman, *Vice President*  
W. Ray Johnston, *Vice President*  
Harry Thomas, *Vice President*  
Jack Bellman, *Vice President*  
Chas. Glett, *Treasurer*  
John Webber, *Secretary*

#### BOARD OF DIRECTORS

Adler, Lester W.—Syndicate Exchanges  
Bacheller, George—Chesterfield Motion Picture Corp.  
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Berk, Ben—Atlas Sound Film Recording Studios  
Berkowitz, Jack—Standard Film Exchange (Buffalo)  
Bondy, Al—Astor Pictures  
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Ferrone, Frank D.—Screenart Pictures Corp.  
Friedlander, Al—First Division  
Glett, Charles—Freuler Film Associates  
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Greenblatt, Arthur—Invincible Pictures Corp.  
Harrison, P. S.  
Hoffman, Milton H.—Allied Productions  
Johnston, W. Ray—Monogram Pictures  
Korson, Louis—Masterpiece Film Attractions (Phila.)  
Levine, Nat—Mascot Pictures  
Mannon, Alfred T.—Resolute Pictures  
Meyers, Phil—Helber Pictures Corp.  
Pizor, William—Imperial Distributing Corp.  
Powers, Patrick, A.—Celebrity Pictures Corp.  
Rifkin, Herman—Hollywood Pictures Corp. (Boston)  
Savini, Robert M.—Amity Pictures Corp.  
Schechter, Lotsch & Sulzberger, General Counsel  
Steiner, William—Producer  
Thomas, Harry—First Division  
Webber, John N.—Majestic Pictures Corp.

I accepted the presidency only with the understanding that I be relieved of the responsibility immediately after the Code is put through. I wanted to help them with the code because I believe that I can bring about a closer co-operation between the independent producer-distributor group with the organized exhibitors.

A code convention has been called on Monday and Tuesday, July 31st and August 1st, at the Hotel Astor. Organized units in the industry have been invited to draft a joint code.

There will be a dinner Monday night.

If you intend to attend, send \$5.00 for a ticket to Mr. Phil Meyers, Chairman of the Convention Committee, in care of Helber Pictures, 630 Ninth Ave., New York.

### AGAIN ABOUT DOUBLE FEATURES

One point that I overlooked bringing out in last week's editorial about double features to show the inconsistency of the major distributor's contention that double features harm the business by the fact that the public is given too much for their money is the "presentations," the vaudeville acts, and the regular stage plays they give along with the picture.

There was a rivalry in this city for a long time between the Capitol Theatre, an MGM house, and the Paramount; each was trying to outdo the other in added attractions. The Paramount went so far as to give condensed versions of stage plays, the admission prices of which, when they were shown in regular theatres, varied anywhere from \$2.50 to \$5.00. The Capitol Theatre responded by bringing stars from the Coast, and giving six or seven other vaudeville acts with big names. And this was done by the two theatres without any advance in admission prices.

Let us overlook the feud here, which to a certain extent continues, and go over the policies of the affiliated theatres in other parts of the country. You remember, I am sure, the facts that I presented to you in these columns sometime ago about a situation in Kentucky. Lexington was the city, I believe, where a Publix theatre was giving a large number of acts along with the pictures for fifteen cents in the afternoon, also holding grocery nights once a week. I did not keep notes of similar situations in other territories concerning this and other affiliated theatres. But in this territory, the Skouras brothers have been giving away Plymouth cars.

The New York Theatre, a Loew house, in this city, has been showing two features on the same bill, twice a week (Tuesdays and Fridays) for as long as I have been in New York City. And this has been a long time—since 1918. And yet Felix Feist has the audacity to demand that you give up double-featuring.

Why doesn't Felix Feist stop the ten cent matinees in the Loew theatres instead of trying to waste his energies on the elimination of the double features, also recommending that the bills of the Capitol and of the Paramount be cut down to normal size? If he succeeded in doing this he would be rendering the industry a greater service than he would by putting an end to the double features.

### AGAIN ABOUT THE WARNER BROS. CONDUCT

At a meeting held by the organized exhibitors of the Philadelphia zone, the article "CAN A LEOPARD CHANGE HIS SPOTS," referring to the Warner Bros.' act of taking "Gold-Diggers of 1933" away from the contract holders and of dropping eight other pictures from the First National and Warner programs, which appeared in last week's issue of HARRISON'S REPORTS, was read and cheered. The fact that the editorial adhered to facts and avoided personalities was commented upon favorably.

The exhibitors of that zone have already decided to bring a suit in equity to compel Warner Bros. to deliver "Gold-Diggers of 1933." Similar suits are contemplated by exhibitors in other zones.

There may be suits in equity also for the eight star pictures Warner Bros. has decided to drop from the First National and the Warner Bros. 1932-33 programs. Since these were sold in star series, the equity suits will apply to the first 1933-34 releases of these stars, on the ground that they are 1932-33 pictures, taken away from them and put on the 1933-34 groups in contravention of the rights of the contract holders for 1932-33 pictures.

This paper has received a number of letters praising the stand it has taken on the unjust and unfair attitude of Warner Bros. towards the independent exhibitors.



### **"The Best of Enemies" with Buddy Rogers and Marian Nixon**

(Fox, June 23; running time, 71 min.)

Just a fair program comedy. The story is ordinary and it moves rather slowly. In the first half the laughs are few and far between; but it picks up in the second half and there are some good comedy situations, particularly those in the cafe where Frank Morgan finds his son conducting a jazz orchestra. Another funny situation is the one in which Buddy brings about a reconciliation between Morgan and Cawthorn by making each one believe that the other had made the first overture to be friends.

The story revolves around the enmity of Frank Morgan and Joseph Cawthorn. They do not even permit their children to play together. Morgan owns property on which Cawthorn runs a beer garden. He warns him that prohibition will be made a law and urges him to sell his lease to him for the purpose of building a forty story office building. Cawthorn refuses, but when prohibition is enforced and his business is ruined, he offers Morgan the lease, which Morgan refuses. Instead he evicts Cawthorn from the premises. Cawthorn goes to Germany with his daughter and opens a cafe there. Twelve years later Morgan sends his son, Buddy Rogers, to Germany to study music. Marian Nixon, Cawthorn's daughter, is a student at the same conservatory; they become acquainted and fall in love. Marian, through an accident, finds out who Buddy is, but does not tell her father because she knows of his hatred for Morgan. Business is bad at Cawthorn's cafe and Buddy induces him to permit his orchestra to play there. Soon the place becomes the rage because of the good jazz music played by Buddy's band. Morgan, who had arrived in Germany for a visit, and escorts a young lady to the cafe, is shocked to find his son playing in a band, and at that in his enemy's cafe. But the children defy their parents and marry; they sail for America and their parents follow. Buddy brings about a reconciliation between the two men.

The plot was adapted from a story by Sam Mintz. It was directed by Rian James. In the cast are Greta Nissen, Arno Frey, and others.

Suitable for children, adolescents, and for Sundays.

Substitution Facts: This is replacing No. 40 listed on the contract as "Untitled Love," featuring Edmund Lowe. It is a star substitution.

### **"Midnight Mary" with Loretta Young, Ricardo Cortez and Franchot Tone**

(MGM, June 30; running time, 73 min.)

Mediocre; it is a demoralizing gangster-sex melodrama, and depressing, too, for almost throughout the entire picture the heroine is made to suffer. In an attempt to arouse sympathy for her it is shown that circumstances force her to become the mistress of a gangster, which affords her a luxurious living. The story is not plausible and the love affair between the hero and the heroine is unpleasant and unbelievable. Followers of gangster melodramas may find this exciting for, as is usual in pictures of this type, it moves at a fast pace. But most people will find that it leaves a bad taste:—

The heroine is sent to prison for three years for a crime she did not commit. On her release she becomes mixed up with a group of gangsters and becomes the mistress of the leader. When she finds that she is being used as an accomplice for holdups she leaves and tries to find work. But she finds this difficult and so she goes back to him. The gangster plans to stage a holdup in a well-known gambling resort, and she agrees to act as the decoy. Somebody tips off the police and when they surround the place she is rushed out of it by the hero, a patron, who had been attracted by her. He knows she is an accomplice of the gang but sees her very often. They fall in love and she leaves the gangster to work in the hero's office. They plan to marry but one day while at a restaurant she is recognized by a detective as an accomplice to the robbery. In order to avoid a scene she makes believe she is through with the hero and then goes with the detective. She is sent to prison but refuses to squeal on her friends. The hero marries in the meantime, and when she is released she again goes back to the gangster. She happens to meet the hero one night at a nightclub. The gangster resents her talking to him and that night he plans to go out and kill the hero. In order to prevent this the heroine kills the gangster. She is convicted, but the last day the hero rushes to the court and tells the whole story. He divorces his wife and plans to marry the heroine on her release.

The plot was adapted from a story by Anita Loos. It

was directed by William Wellman. In the cast are Una Merkel, Andy Devine, Frank Conray, Warren Hymer, Harold Huber, and others.

Not suitable for children, adolescents, or for Sundays.

### **"Pilgrimage"**

(Fox, Roadshow Picture; running time, 95 min.)

Good entertainment for the masses because of the sentimental appeal to the story. But aside from the photography, there is nothing outstanding in "Pilgrimage" to make it a roadshow picture, since the acting and direction are somewhat reminiscent of the old school. For continuous-performance theatres it is a good picture of its kind—mother love (or rather hate) and sacrifice; several of the situations are pathetic and will arouse the emotions, bringing tears to the eyes of many spectators. This is particularly so in the situation where the mother receives news from the War department that her son is dead. Equally pathetic is the scene in which the lovers part.

The first half is tragic and depressing, made so by the selfish attitude of the mother (played by Henrietta Crossman); she could not bear to see her son, Norman Foster, love any other woman but herself. Because of this she causes the separation of her son from his sweetheart, Marian Nixon, by requesting that he be drafted into the Army and sent to war. The night before he leaves to be sent to France Marian tells him she is going to have a baby, but he cannot procure leave to marry her. He is killed in the war, and his mother, although heartbroken, refuses to recognize either Marian or her grandson.

The second half is somewhat lighter. Although parts of it are depressing, that is, in the situations showing the anguish of the gold-star mothers who are being sent to France by the Government to visit their sons' graves, it is relieved by some good comedy situations brought about by Lucille LaVerne's blunt manner as a mountain-bred woman. There is deep human interest, too, in the manner in which the mother changes her outlook on life. She meets a young man and finds he is in the same predicament that her son had been in—he loved a young girl that his mother opposed. She helps the couple to win the mother's consent and by doing this she feels that in some way she has atoned for the wrong she did her son. When she returns to her farm in America she goes to Marian and asks her to forgive her and live with her. They are reconciled.

The plot was adapted from the story by I. A. R. Wylie. It was directed by John Ford. In the cast are Heather Angel, Maurice Murphy, Charley Grapewin, Hedda Hopper, Robert Warwick, Louise Carter, and others.

Suitable for children, adolescents, and for Sundays.

### **"Double Harness" with Ann Harding and William Powell**

(RKO, July 21; running time, 68 min.)

There is too much conversation and not enough plot in "Double Harness." Sophisticated audiences might enjoy it, but for the masses it is slow, the only attraction being the excellent acting of both Ann Harding and William Powell. The central idea is unpleasant; this is brought about by the fact that the heroine uses a cheap trick with which to force the hero to marry her. Unpleasant, too, is the manner in which this trick is brought to the hero's attention; the heroine's sister, just purely out of spite and ill will, purposely tells it to the hero in order to discredit the heroine.

The heroine lives in intimate relationship with the hero, but although he loves her he tells her he is not the marrying kind. But she is determined to marry him and so with the help of her sister works out a trick whereby her father finds out where she is and calls at the hero's apartment, forcing him to propose to the heroine. The hero agrees to live with the heroine for six months but he insists that she must divorce him after that time. In the meantime she inspires him to stop playing and go back to some real work. He is enjoying it and also falling even more in love with the heroine. Just as their romance is really progressing, the heroine's sister, enraged because the heroine refuses to allow the hero to give her sister money for clothes, tells the hero the whole story about the trickery. He leaves the heroine and plans to go away with a woman acquaintance of his. But he changes his mind and comes back to the heroine, loving and forgiving her.

The plot was adapted from a story by Edward F. Montgomery. It was directed by John Cromwell. In the cast are Henry Stephenson, Lilian Bond, George Meeker, Reginald Owen, Lucile Browne, and others.

Not suitable for children, adolescents, or for Sundays.



**"Heroes For Sale"  
with Richard Barthelmess  
and Loretta Young**

(First Nat'l., June 17; running time, 73 min.)

This is so morbid and depressing that the spectator will leave the theatre in an exceedingly unhappy frame of mind. Parts of it are too pitiful; they will stir the emotions and bring tears to the eyes to such an extent that one's heart will be torn. This is all due to the fact that the hero, an innocent person, is tortured and made to suffer to such a degree that he loses everything that means anything to him, and is forced to live a life of a vagabond. The scenes showing him addicted to drugs and unable to stand up without them are horrible. The most pitiful situation is the one in which the heroine (hero's wife) is killed, and he is arrested, torn away from the arms of his child. The producer attempts to bring in an encouraging note in the end by having the hero speak of the great plans President Roosevelt has to put the country back into a state of prosperity, but this in no way relieves the feeling of unhappiness:—

During the world war a Lieutenant with some of his men, one of whom is the hero, are sent to capture a German prisoner. All the men, with the exception of the Lieutenant and the hero, are killed. The hero, single-handed captures a prisoner and just as he is bringing him to the American lines he is shot. He tells the Lieutenant to bring the man in and leave him there. Thinking the hero is dead, the Lieutenant takes all the credit for the capture and he is decorated and honored. The hero is taken by some Germans and brought to a hospital. For several months he is fed on drugs and when finally released returns to the United States a drug addict. On the boat back he meets the Lieutenant who begs the hero not to give him away. The hero promises and they become pals; he is given a position in the pal's father's bank but because of his addiction to drugs he is sent to a sanitarium. On his release he goes to Chicago and takes a room in a poor section. There he meets the heroine, a roomer in the same house, and they fall in love with each other. He obtains a position in a laundry and progresses rapidly. The hero and heroine marry and have a child. Another roomer, an anarchist, invents a machine which the hero installs in the laundry. He becomes the anarchist's partner. The owner of the laundry dies and the new owner fires most of the help. They rise against the hero and are determined to wreck the plant. He begs them to desist, and follows them. The heroine rushes after them and in the fighting that follows she is killed. The hero is arrested as the leader of the gang and is sent to prison for five years. During those years his anarchist friend had been depositing royalties to the hero's credit. The hero returns to his child and gives all his money to his friend who ran the rooming house to be used for the poor. The police insist that the hero leave town since he was not wanted there. He is forced to leave his child again and wander from place to place as a hobo. During his wanderings he meets his former pal who had come down from a banker's son to a hobo. The hero expresses hope that there will be a new deal with President Roosevelt.

The plot was adapted from a story by Robert Lord and Wilson Mizner. It was directed by William A. Wellman. In the cast are Aline MacMahon, Gordon Westcott, Robert Barrat, Charles Grapewin, Grant Mitchell, Berton Churchill, and others.

Too morbid for children, adolescents, or for Sundays.

**"Secret of the Blue Room" with Paul Lukas,  
Gloria Stuart and Lionel Atwill**

(Universal, July 20; running time, 65 min.)

An excellent murder mystery melodrama. It holds one's interest from the beginning to the very end, for it has been worked out intelligently. Without resorting to the horror type of melodrama, it holds one in tense suspense throughout, particularly during the situations in which three different men venture to stay in a room that is supposedly haunted. The discovery of the murderer and his explanation of the crimes are logical and even understandable. Several people are suspected, but the identity of the murderer is not made known until the very end, and this comes as a surprise for he was the one least suspected:—

At a birthday dinner given for Gloria Stuart by her father, Lionel Atwill, her three admirers, Paul Lukas, William Janney and Onslow Stevens are present. Janney attempts to propose to her but she jokes with him about it. The conversation turns to spooky stories and Janney refers to the blue room in Atwill's house. Unwillingly

Atwill tells them about three mysterious deaths that had occurred in that room, which had been closed for years. Janney says that as a test of courage each one of the three admirers should spend one night in the room. Janney is the first one and the next morning the room is found empty and there is no trace of Janney. The second night Stevens goes to the room and at the stroke of one he is shot and killed. Lukas calls in the police and the inspector suspects Atwill. A mysterious man is found prowling around the premises. He is arrested but Atwill explains that the man is his own brother who had disappeared years ago and had just returned. He was Gloria's real father but since Gloria did not know about this Atwill had been admitting him to the house secretly. Lukas says he will sleep in the room the third night for investigation purposes. He sets up a dummy, and exactly at one a shot is fired through a mysterious sliding door. Lukas gives chase to the murderer, and with the help of the police captures him. It is none other than Janney, who had planned everything to get his rivals out of the way so as to marry Gloria.

The plot was adapted from a story by Erich Philippi. It was directed by Kurt Neumann. In the cast are Edward Arnold, Robert Barrat, Muriel Kirkland, Russell Hopton and Elizabeth Patterson.

It will probably frighten children; otherwise suitable for them and for Sundays.

Substitution Facts: This is replacing 5018 listed on the contract as Robert L. Stevenson's "Suicide Club." It is a story substitution. But since it is a better picture than what "Suicide Club" would be, you will be compelled to accept it in accordance with the arbitration clause on substitutions in this company's contracts.

**"Narrow Corner"  
with Douglas Fairbanks, Jr.**

(Warner Bros., July 8; running time, 67½ min.)

Just fair. The production end, particularly in the first half showing a storm at sea, and the acting are excellent; also as a character study it is interesting. But it is too slow for the masses, since there is much conversation, and at that of the philosophical type. In addition, the story has one defect, and that is in the fact that one knows the hero is running away from a crime; what it is, is not made known, but just hinted at. Because of this it is difficult to arouse sympathy for the hero; one does not know whether he is deserving of such sympathy or not. The romance between the hero and the heroine is spoiled because of the sex angle brought into it, and the unpleasantness resulting therefrom in the suicide of a fine man:—

The hero's father charts a private ship and sends his son on it, with the warning to stay hidden for at least a year. The hero is restless and despises the captain, a dyspeptic sot. They land at a certain island and despite the objections of the hero, the captain takes a doctor aboard to cure him of his illness; this doctor is an opium smoker. They pass through a terrific storm and after it is over the hero feels more courageous. The next morning, when the ship stops to repair the damage to it, the hero swims ashore and finds the heroine, who had just finished swimming. They become friendly and she invites him to dinner to her home where she lives with her scientific father and grouchy grandfather. There he meets a fine man who loves the heroine, and this friend and the hero become pals. The hero tells the heroine why he was running away; he had killed a man and was being sought by the police. The heroine tells him it does not matter and surrenders herself to him. The friend discovers this and chokes the hero. Thinking he had killed him he goes home and commits suicide. But the hero is not dead; he comes to and rushes to the friend's home to explain and when he finds the man dead, he is remorseful and is determined never to see the heroine again. He is sought by the police as the friend's murderer. He makes an escape in the ship, in which the heroine had hidden. They realize they are not to blame and set sail for an island, there to start life anew.

The plot was adapted from a story by Somerset Maugham. It was directed by Alfred E. Green. In the cast are Patricia Ellis, Ralph Bellamy, Dudley Digges, Arthur Hohl, Reginald Owen, and others.

Not suitable for children, adolescents, or for Sundays.

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## THE FILM CASE AT CAMDEN, N. J.

Consistent with the policy of this publication to interest itself in every suit involving the rights of the independent exhibitor, I have examined the records in the case of the Victoria Amusement Company of Camden, New Jersey, vs. Warner Bros. Pictures, Inc. and others, now at issue in the United States District Court, at Camden, New Jersey.

The case is well prepared. The attorneys for the plaintiff show an unusual familiarity with the practices of the motion picture industry, a knowledge of the law, and thoroughness in their work.

The suit raises the following fundamental points:

1. The right of the producer and distributor to engage and be interested in the exhibition of films in competition with the independent exhibitor is questioned, the theory being that it is contrary to good practice and in violation of the law to permit a distributor and producer to compete with its own customers.

2. The form of the exhibition contract generally offered to the unaffiliated exhibitor is attacked on the grounds of uniformity, indicative of an agreement among the film companies. The plaintiff points out that although there are some differences in the contract as to minor details, which are of no serious consequence, they all contain the harsh and vicious terms against which this publication has consistently fought.

3. It establishes that the harsh terms contained in these contracts are frequently invoked by the film companies in aiding one another to crush the independent exhibitor in competition with an affiliated theatre; but the film companies do not impose such terms upon one another's theatres.

4. It proves that the contracts in their terms and conditions are harsh, unfair and against public policy; therefore, they should be abrogated.

5. It brings out the fact that the film companies actually grant to one another concessions as to prices and terms upon which pictures are played that are more favorable than the prices, conditions and terms demanded of the independent exhibitor under the same circumstances.

A successful termination of the suit will establish fundamental precedent that will seriously restrict the activities of the distributing and producing companies in engaging in the exhibition business.

The suit at present is in its preliminary stages, but on the jurisdictional question considerable testimony has already been taken.

The plaintiff has compelled more than thirty of the leading Home Office executives to go to Camden, New Jersey, under process of subpoena, to testify in this suit.

Notwithstanding all the attempts on the part of the defendants' attorneys to delay the case by artifices, the plaintiff has been able to press its case on for action, and an early trial is looked for.

The suit involves all the major film companies and some of their subsidiaries, numbering thirty-one defendants to date. They are apparently represented by one counsel, defending this suit jointly.

It is rumored that Warner Bros. who is the principal defendants, and the only one whose theatres are involved in this lawsuit, has prevailed upon the Hays organization to require all the defendants, except Columbia, to contest the jurisdiction.

Should the jurisdiction of the court be established, it would subject the film companies to both legislation and taxation by the State of New Jersey.

The attorneys for the plaintiff have furnished many surprises at the hearing in the nature of highly interesting and specific evidence.

The unbiased opinion of competent lawyers is to the effect that the jurisdiction of the court will be sustained and the case will be tried on its merits very shortly.

More than sixty exhibits of various forms of contracts have been offered in evidence by the plaintiff thus far, most of them being contracts and forms of contracts used by the various film companies. Lack of time prevented me from examining these contracts. At my earliest convenience I shall make an effort to obtain them from the public records so as to make a more thorough examination of them. From a superficial examination, however, I should say that they are highly interesting; they ought to shed considerable light on the favoritism that goes on among the film companies.

## THE CODE OF THE INDEPENDENT PRODUCER AND DISTRIBUTOR

This office has received many recommendations and friendly criticism relative to the points covered by the Code put out by the new organization of independent producers and distributors.

For the information of every one of the industry, the Code drafted for this organization by Messrs. Graham & Reynolds, who worked hard to prepare it in a very short time, and who have the gratitude of this organization, was not to be the final code; it was merely to furnish a working basis. The final code will be very simple, and will confine itself to four or five important points. All questions that are not relevant to these points may have to be dropped for the present. Mr. Jacob Schechter, counsel for the organization, is constantly conferring with a committee of the organization to prepare a code that will suit the requirements of the independent producers and distributors, touching upon independent exhibitor problems only when they are related to producer-distributor problems closely. The feeling of this organization is that none is better qualified to deal with independent exhibitor problems as are the exhibitors themselves; and since they have a strong organization, Allied States, their rights will be well looked after. The two organizations are working in harmony and the expectation is that there will be no disagreement whatever as to the final draft of the code in so far as it touches upon questions that affect both groups.

If you have any suggestions to make, send them to Mr. Jacob Schechter, Room 1816, 500 Fifth Avenue, New York, N. Y. We want all the suggestions that we can obtain so that the final draft may answer the demands of all the independents.

## "MARCH OF TIME" SHOULD BE "MARCH OF COBWEBS"

I read somewhere the following press story from the Metro-Goldwyn-Mayer organization:

"Willard Mack is in demand both as actor and director these days, with some scenario work thrown in on the side. As soon as Mack completes direction of 'The March of Time,' Metro Goldwyn-Mayers' story of the past two generations in the American theatre, he will undertake a featured role in the Jean Harlow-Lee Tracy picture, 'Bombshell.' . . ."

This statement does not present the facts correctly, for "The March of Time" is not a new picture; it was produced about three years ago at an expenditure of more than a million dollars. The picture, however, turned out to be so "atrocious," as I have been informed, that MGM did not dare put it out. But pressed by circumstances, brought about by the mad expenditures and the madder salaries paid the many MGM production as well as distribution executives, they have found it necessary to release it now. This press story was put out to make you believe that "The March of Time" is a new picture.

This publication will be watching with great interest the action of the independent theatre owners; it wants to know whether they will continue accepting the statements of the major companies at their face value.

## SEND YOUR SUBSCRIPTION TO THE FORECASTER

A circular letter with a subscription blank containing the rates of subscription to the *Forecaster* has been sent to every subscriber of HARRISON'S REPORTS. If you intend to subscribe, send your subscription upon receipt of this letter. Do not make it necessary for me to send a second circular, for I need the time for other more important work.

The sections dealing with the Columbia and the Fox products will be ready for mailing this week and a receipt of your subscription order will ensure prompt mailing of these two sections. Sections dealing with the products of other producers will follow in quick succession.

Do not hasten to buy the new season's product, for you are not in a position to know yet what effect the code that will be accepted by the government will have upon the selling policies of the producer-distributors. If block-booking should be eliminated—and the indications are that it will—and if the right of the exhibitor to buy any producer's pictures (and that of the independent distributor to sell to any exhibitor), as long as he is willing to pay the price the other exhibitor is, is established, it will be a great mistake for you to rush to buy your pictures now. In such an event, the information conveyed by the *Forecaster* will prove invaluable to you.



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, JULY 29, 1933

No. 30

### Box Office Performances of the 1932-33 Pictures

As the 1932-33 season draws to a close and the producers are making ready to sell you their 1933-34 products, it is not a bad idea for us to look into the performances of the 1932-33 pictures of all the major companies to see whether what they promised at the beginning of the 1932-33 season they have delivered or have fallen down.

Since the reports from which I have received my information were sent to me by exhibitor organizations, they naturally represent the opinion of many exhibitors.

#### Columbia Pictures

EXCELLENT, None.  
 EXCELLENT TO GOOD, 1: "American Madness."  
 GOOD, 1: "Washington Merry-Go-Round."  
 GOOD TO FAIR, 4: "Night Club Lady," "State Trooper," "So This Is Africa" (good box office attraction but so dirty that it hurt the theatres that showed it), "Below the Sea."

FAIR, 7: "That's My Boy," "No More Orchids," "As the Devil Commands," "Bitter Tea of General Yen," "Air Hostess," "When Strangers Marry," "The Woman I Stole."

FAIR TO POOR, 6: "Obey the Law," "Child of Manhattan," "Parole Girl," "Soldiers of the Storm," "Ann Carver's Profession," "What Price Innocence" (theme so unsuitable for regular theatres that it has been condemned in some territories).

POOR, 5: "Deception," "Man Against Woman," "Night of Terror," "Cocktail Hour," "Dangerous Crossroads."

#### First National Pictures

EXCELLENT, None.  
 EXCELLENT TO GOOD, 3: "Tiger Shark," "Twenty Thousand Years," "The Little Giant."  
 GOOD, 3: "Silver Dollar," "Frisco Jenny," "Blondie Johnson."

GOOD TO FAIR, 7: "Life Begins," "Cabin in the Cotton," "Three on a Match," "You Said a Mouthful," "Employees' Entrances," "Elmer the Great," "Heroes for Sale."  
 FAIR, 5: "Central Park," "The Match King," "Grand Slam," "Central Airport," "She Said Yes."

FAIR TO POOR, 4: "They Call It Sin," "The Mind Reader," "Lily Turner," "Goodbye Again."  
 POOR, 1: "The Crash."

#### Fox Film Corporation

EXCELLENT, None.  
 EXCELLENT TO GOOD, 2: "Too Busy to Work," "Adorable."  
 GOOD, 3: "Downt to Earth," "Call Her Savage," "Hot Pepper."

GOOD TO FAIR, 5: "Congorilla," "Hat Check Girl," "Wild Girl," "Tess of the Storm Country," "Zoo in Budapest" (but it did not draw, for its poor title killed it).

FAIR, 10: "Chandu," "Six Hours to Live," "The Golden West," "Sherlock Holmes," "Me and My Gal," "Sailor's Luck," "Hello Sister," "Hold Me Tight," "Arizona to Broadway," "Shanghai Madness."

FAIR TO POOR, 8: "Handle With Care," "Second Hand Wife," "Dangerously Yours," "Broadway Bad," "Humanity," "It's Great to Be Alive," "I Loved You Wednesday," "Best of Enemies."

POOR, 9: "Rackety Rax," "Robber's Roost," "Face in the Sky," "Infernal Machine," "After the Ball," "Pleasure Cruise," "Bondage," "Trick for Trick" (one organization said it was "lousy"), "The Warrior's Husband."

The following pictures are not included in the regular releases:

"State Fair": Excellent in small towns, but poor, fair to good in big cities.

"Cavalcade": Excellent in big cities, poor in small towns. Sidney Kent admitted that in the small towns it "died."

The following pictures have not yet been reported; they have just been released: "Life in the Raw," "The Devil's in Love," and "F. P. I."

#### Metro-Goldwyn-Mayer

EXCELLENT, None.  
 EXCELLENT TO GOOD, 1: "Rasputin and the Empress."

GOOD, 3: "Gabriel Over the White House," "The White Sister," "Devil's Brother."

GOOD TO FAIR, 4: "Pack Up Your Troubles," "Red Dust," "Flesh," "Whistling in the Dark."

FAIR, 9: "What No Beer?" "Men Must Fight," "Clear All Wires," "Today We Live," "Looking Forward," "Peg of My Heart," "The Nuisance," "Reunion in Vienna" (for sophisticated picture-goers), "When Ladies Meet."

FAIR TO POOR, 1: "Fast Workers."

POOR, 5: "Payment Deferred," "The Outsider," "The Secret of Madame Blanche," "The Barbarian," "Made on Broadway."

The following pictures have not been reported; they either have not yet, or just have been released: "Midnight Mary," "Hold Your Man," "Strange Rhapsody," "The Stranger's Return," and "Another Language."

The following pictures are not of the regular program: "Hell Below": Good.

"Grand Hotel": Very good in the first-run theatres in the big cities, but very poor in the small towns, particularly in those that played it late.

"Strange Interlude": Poor in both small as well as large cities.

#### Paramount Pictures

EXCELLENT, None.  
 EXCELLENT TO GOOD, 2: "She Done Him Wrong," "The Pickup."

GOOD, 10: "Horse Feathers," "70,000 Witnesses," "The Phantom President," "Madison Square Garden," "The Big Broadcast," "Farewell to Arms," "If I Had a Million," "Undercover Man," "The Sign of the Cross," "International House."

GOOD TO FAIR, 12: "Guilty as Hell," "Love Me Tonight," "Night of June 13," "Night After Night," "The Devil is Driving," "Tonight is Ours," "Hello Everybody," "A Bedtime Story," "Song of the Eagle," "The Eagle and the Hawk," "I Love That Man," "Jennie Gerhardt."

FAIR, 10: "Blonde Venus," "Trouble in Paradise," "Evenings for Sale," "No Man of Her Own," "The Billion Dollar Scandal," "The Woman Accused," "The Crime of the Century," "King of the Jungle," "The Girl in Room 419," "College Humor."

FAIR TO POOR, 12: "Devil and the Deep," "Movie Crazy," "Hot Saturday," "He Learned About Women," "Madame Butterfly," "Luxury Liner," "A Lady's Profession," "Strictly Personal," "Murders in the Zoo," "Terror Aboard," "The Story of Temple Drake," "Gambling Ship."

POOR, 2: "Island of Lost Souls," "From Hell to Heaven."

The following pictures have not yet been reported; it is too early: "Disgraced," "Mama Loves Papa," "Her Bodyguard," and "Midnight Club."

#### RKO (Radio Pictures)

EXCELLENT, None.  
 EXCELLENT TO GOOD, None.  
 GOOD, 2: "Hold 'Em Jail," "Little Orphan Annie."  
 GOOD TO FAIR, 7: "Hell's Highway," "Bill of Divorcement," "The Conqueror," "The Half-Naked Truth,"



## "Mama Loves Papa" with Charles Ruggles and Mary Boland

(Paramount, July 14; running time, 69 min.)

An excellent comedy; it should be thoroughly enjoyed by the masses. It is the homely type of comedy, simple but extremely amusing. The first half is so funny that it will keep the audience in uproarious laughter throughout. Most of it is brought about by Mary Boland's supposed total lack of sense of humor. The second half is quite funny, too, but more in a slapstick fashion. There are two situations that will set the audience laughing most heartily; one is where Ruggles tries to tell Mary Boland a joke and she does not get the drift of it; and the other is where Ruggles comes to his office in formal morning clothes and is sent home by his employer who thinks Ruggles had just come from a funeral:—

Ruggles and Mary Boland had been married for twenty years and are still in love with each other. The only fault he can find with her is that she has no sense of humor. One day she goes to a lecture about how to make marriage a success and soon she is bothering Ruggles about dressing for dinner at home, and insists that he wear formal morning clothes to the office. Scared and embarrassed he accepts consolations from the office force who think he had just come from a funeral. His employer sends him home for the rest of the day and he goes to the park to feed pigeons. He listens to a lecture on communism and when the listeners, thinking he is a rich man, attempt to mob him, he rushes up to a platform where an unveiling is to take place. Thinking he is the Commissioner the officials force him to do the unveiling, and it is not until later that the mistake is found out. But Lilyan Tashman recommends Ruggles to her husband as a good man to have as the Park Commissioner for he would be easy to handle, and since her husband sold playground equipment to the parks, Ruggles was considered a good man. He is appointed Commissioner and his wife is overjoyed, for she felt that she had helped her husband attain prominence. He and his wife are at a party at Tashman's home and he becomes a little tipsy; his wife is horrified to watch him enjoy himself with Tashman as his play-mate. She leaves him and goes back home. The next morning Ruggles has a quarrel with Tashman's husband, tells him what he thinks about his defective equipment, and then quits, but before he does so he gets a black eye. He comes home and is forgiven. He is given back his old job with a raise in salary and peace once again reigns in his family.

The plot was adapted from a story by Keene Thompson and Douglas MacLean. It was directed by Norman McLeod. In the cast are George Barbier, Morgan Wallace, Walter Catlett, and others.

Suitable for all and for Sundays.

## "Song of Songs" with Marlene Dietrich

(1933-34 Release; running time, 89 min.)

A beautiful production and excellent acting has been wasted on ordinary material that offers little more than a series of sex situations. The producers have almost gone the limit in suggestiveness and leave little to the imagination, particularly in one scene where the hero caresses the statue of the heroine that he was moulding while looking at her body in the nude as she was posing for him. This situation, although done artistically, is raw. But the most distasteful of all is the one in which the heroine's husband on their wedding night keeps looking at a sketch of her nude figure, lecherously smacking his lips and laughing in delight. Beyond arousing the sexual passions, it should prove tiresome to audiences that do not go in for pictures of that type. One could not expect to see what is shown in this picture anywhere else except in foreign postal cards. The statue of a woman in the nude is shown almost as the woman is in life.

The heroine, while working in her aunt's bookshop, meets the hero, a young sculptor. He induces her to pose for him in the nude. They soon fall in love with each other and enter into an intimate relationship. He is rather frightened by her expressions of never-dying love and desire of marriage and children because he feels such things would hamper him in his work. And so he consents to leave her and turn her over to a wealthy Baron who wants to marry the girl and make a lady of her. Broken-hearted at the hero's desertion of her she marries the Baron, whom she despises, and he sets about giving her a cultured background. He then invites the hero and shows her off, but she, in order to spite the hero, arranges for him to see her enter a servant's room for the purpose of having relations with the man. A fire breaks out

in the room and she is carried out by the servant. She is thus disgraced and forced to leave. She becomes a woman of the streets but is finally saved from that life by the hero who now wants to marry her. She consents.

The plot was adapted from the novel by Herman Sudermann. It was put on the stage about twenty years ago by Charles Frohman. The day after the premier of the play the critics expressed a surprise that Mr. Frohman should have produced such a play and he disposed of it immediately to Al Woods. No company with rational men at the head of it would produce a picture of this kind. The picture was directed by Rouben Mamoulian. In the cast are Lionel Atwill, Brian Aherne, Alison Skipworth, Hardie Albright and Helen Freeman.

Poison for children, adolescents, or for Sundays.

## "This Is America"

(Frederick Ullman, Jr.; running time, 69 min.)

Made up of news-reel shots, with a running commentary by Alois Havrilla, "This Is America" is an interesting as well as educational account of happenings in America, starting in 1917 when war was declared by President Wilson.

The hysteria accompanying the declaration of war, the gatherings of people, parades, and pleas for the purchase of war bonds are all vividly shown. And then when armistice is declared, the gaiety of the people is pictured and one feels an emotional reaction watching them dancing in the streets, displaying their happiness.

It goes on to show the events that happened thereafter. Mixed into the picture of the economic situation are scenes that provoke laughter, such as the old-fashioned styles in clothes, and the first of the bathing beauty contests; also the different vogues that caught the public's fancy—marathon dances, flagpole sitters, and revival meetings.

In vivid fashion, too, it shows the rise and fall of the stock market, and wrong predictions by different economic leaders as to when the end of the depression will come.

It takes in legal cases, too, such as the Sacco-Vanzetti trial, the funeral and the protest parades; also the release of Eugene V. Debs, the great Socialist leader, from prison.

Highlights and not such important matters have all been caught and inserted in a way to hold the interest. It includes events up to the election of President Roosevelt.

For the people who have lived through those days it will bring back many memories, some pleasant and some otherwise, and for those who were youngsters then, it will serve as a better picture of the times than any verbal description that could be given.

The picture was edited by Gilbert Seldes.

## "Storm At Daybreak" with Kay Francis, Walter Huston and Nils Asther

(MGM, July 14; running time, 77 min.)

Fairly good entertainment. The production end of this picture is far superior to its story values; the settings are handsome and the music is good. As a matter of fact, parts of it are similar to an operetta, with group singing and dancing. The opening scenes showing the assassination of the archduke, an act which caused the outbreak of the world war, are interesting and done realistically. The story at times moves slowly and offers no new angles in its unfolding of the eternal triangle. But the hero and the heroine are both sympathetic characters, repressing their desire for each other because of their respect for the heroine's husband. The closing scene in which the husband realizes his wife does not love him is quite stirring:—

During the world war the heroine's town is invaded by soldiers of the enemy troops, headed by the hero, an old friend of her husband's. The hero and the heroine fall in love with each other but the husband does not suspect this since he thinks his wife loves him. But when the armistice is declared and the hero is ordered out of town and his life endangered the heroine rushes to him. The husband, heartbroken by his wife's infidelity, plunges to his death carrying with him the man who was endangering the hero's life. The hero and the heroine are united.

The plot was adapted from a story by Sandor Hanyadi. It was directed by Richard Boleslavsky. In the cast are Phillips Holmes, Eugene Pallette, C. Henry Gordon, Louise Closser Hale and Jean Parker.

The affair between the hero and the heroine is not done in a vulgar way; yet it will be up to each exhibitor to determine whether it is suitable for children, adolescents and for Sundays, or not.



### "Laughing At Life" with Victor McLaglen (Mascot Pictures; running time, 68 min.)

A fairly good action melodrama of program grade. It moves at a pretty fast pace and the scenic background is interesting. But there is little human interest in it since the story concerns mostly the different escapades of the hero, a soldier-of-fortune. In addition, he is an unsympathetic character for he leaves his wife and child to continue in his search for adventure and thrills. The closing scenes in which the hero and his son are actively engaged in a revolutionary movement are the most exciting, particularly in the situation where they make their escape:—

The hero, an engineer, is forced to run away from a construction job in order to avoid being arrested for having had a hand in smuggling arms across the border. He leaves his wife and child and promises to send for them as soon as he has settled down. But a few years pass and each port that he sets foot on brings new adventure and he is never quite ready to send for them. He receives a letter telling him of the death of his wife and he goes back to America to take his son. But he cannot find any trace of the people who were taking care of the boy and he leaves disheartened. A few years later he becomes a revolutionary leader in South America, in charge of smuggling guns across the border. He makes the acquaintance of a young man and his fiancée. The young man is so interested in the hero's escapades that he decides to join him in his work. The fiancée is heartbroken. She learns from a detective who was in South America to get evidence against the hero that the young boy is the hero's own son. She tells this to the hero, and he attempts to dissuade his son from helping him but to no avail. The hero and his son are finally arrested as the leaders of the revolutionary forces. Because the man who was at the head of the movement had double-crossed him, the hero sides with the President and helps round up the real leaders. He then tells the young boy that he is his father and they both make their escape. He sends his son off to California with his fiancée, where he promises to join them.

The plot was adapted from a story by Ford Beebe, by whom it was directed. In the cast are Conchita Montenegro, William (Stage) Boyd, Lois Wilson, Regis Toomey, Ruth Hall, Henry B. Walthall, and others.

Suitable for children, adolescents, and for Sundays, except for exhibitors who are extremely cautious, for there are some slight sex suggestions.

### Gigolettes of Paris"

(Equitable Pictures; running time, 61 min.)

Poor. It is slow-moving, the story is trite, and the acting is stilted. The whole thing is rather senseless and one never knows just what it is really driving at. There is little human interest because after the very beginning one loses interest and sympathy for the heroine, who, because she had been jilted once, becomes a goldigger. With the aid of a gigolo an opportunity presents itself for her to get back her former engagement ring from the wife of the man who had jilted her. She torments him with this fact to prove that his wife is unfaithful and thus she avenges herself for the wrong he had done her.

In the development of the plot her gigolo friend begs her to marry him, but she tells him she is out to accumulate a fortune. But later she regrets this and marries the gigolo.

The story was written and directed by Alphonse Marten. In the cast are Madge Bellamy, Gilbert Roland, Natalie Moorhead, Theo. Von Eltz, Molly O'Day, and others.

Not suitable for children, adolescents, or for Sundays.

### AN APPEAL TO THE PRESS OF THE NATION

Under date of July 21, I sent the following appeal to all the daily newspapers in the United States:

"The independent producers and distributors of motion pictures, through their organization known as Federation of the Motion Picture Industry of America, Inc., are waging a battle for the separation of the picture theatres from ownership by the big film companies. In this they have the whole-hearted support also of the independent theatre owners.

"The bankruptcy of the motion picture industry with a consequent loss to investors in motion picture securities of nearly two billion dollars is owed to such ownership and not to the depression. They drove individualism away, substituting incompetence, nepotism and favoritism. The

theatre department heads, seated in an office building on Broadway, tried to conduct theatres spread in all parts of the country. It could not be done; no two or three men could do the thinking of thousands.

"The separation of the theatres from production and distribution is a problem that, strange to say, is of as much importance to the newspaper owners as it is to the independent producers, distributors and exhibitors. The closing of thousands of theatres as a result of mismanagement has deprived the newspapers of hundreds of thousands of dollars annually from advertising, not to mention the thousands of persons who were thrown out of work.

"The Federation of the Motion Picture Industry of America, Inc., is intending to submit to the Administrator of the Industrial Recovery Act a Code with a provision for such a separation. There are several court decisions that the counsel for the Federation intends to submit to the Administrator to prove that such an ownership, when its effect is to drive the small man out of business by creating unfair competition, is illegal.

"The Federation is appealing to the newspapers of the nation to aid it in this battle, which is for the good, not only of the independent producers, distributors, and exhibitors, not only for the newspapers themselves, but also for the public. Such a separation, coupled with the banning of block-booking which it seeks to bring about, will open up at least five thousand theatres, putting thousands of men back to work, and increasing the income of the newspapers from advertising. Remember that the first thing the manager of a producer-controlled theatre does when the receipts of the box office fall down is to cut down his advertising space in the newspapers.

"Very sincerely yours,

"P. S. HARRISON,

"Editor and Publisher of HARRISON'S REPORTS,  
"President, Federation of the Motion Picture  
Industry of America, Inc."

The newspapers have responded nobly to this appeal.

Incidentally, let me say that the affairs of the Federation are proceeding most favorably. The organization is receiving applications for membership in a most encouraging way and the board of directors feels sure that every independent producer or distributor will be a member in a very short time.

As announced, the Code Conference will take place Monday and Tuesday, July 31st and August 1st, at the North Ball Room of the Hotel Astor. The sessions will start in the morning and will continue through the two days, and the nights if necessary, until the different provisions of the Code will have been adopted.

Mr. Abram F. Myers, general counsel of Allied States, has informed me that, because of the fact that Allied States has not yet formulated a code, he will take part at the Code Conference informally, in an advisory capacity.

There will be an informal dinner Monday night, beginning at eight o'clock. This will be open to any one who desires to take part. Those who wish to reserve tickets may send a check at the rate of five dollars for each ticket to Mr. Phil Myers, Chairman of the Conference Committee, Helber Pictures, 630 Ninth Ave., New York City.

### THE FLOP OF "PILGRIMAGE"

"Pilgrimage" has flopped as a roadshow picture. The proof of it has been furnished by the Fox organization itself. I have before me a pair of tickets reading as follows:

"Fox Film Corporation extends to you this invitation to see the first hit of the new season

"PILGRIMAGE"

"At the Gaiety Theatre, Broadway at 46th St.

"Good at any performance between July 17th and July 30th, inclusive. "This invitation when presented at the Box Office will be exchanged for the best available reserve seat.

"There will be no charge whatever except for the required Government Tax."

Well, well! Sidney Kent thought he had a roadshow picture. In fact I understand that he had wetted several handkerchiefs crying when he first looked at it. How many he will wet when he looks at the box office receipts it is hard to tell.

And Sidney took the picture away from the 1932-33 season and put it on the 1933-34 season!



"Lucky Devils," "Sweepings," "Silver Cord."

FAIR, 11: "Age of Consent," "Sport Parade," "Men of America," "The Animal Kingdom," "Penguin Pool Mystery," "No Other Woman," "The Monkey's Paw," "Sailor Be Good," "Topaze," "Diplomaniacs," "Emergency Call."

FAIR TO POOR, 8: "Most Dangerous Game," "Thirteen Women," "Phantom of Crestwood," "Men Are Such Fools," "Secrets of the French Police," "Goldie Gets Along," "Manhunt," "Christopher Strong."

POOR, 5: "Theft of the Mona Lisa," "The Past of Mary Holmes," "The Great Jasper," "Our Betters," "Professional Sweetheart."

The following have not yet been reported; too early: "The Big Brain," "Melody Cruise," "Flying Devils," and "No Marriage Ties."

The following were not included in the regular program: "Bring 'Em Back Alive": Good to fair. "King Kong": Excellent.

### United Artists

EXCELLENT, None.

EXCELLENT TO GOOD, 1: "Kid From Spain."

GOOD, None.

GOOD TO FAIR, 1: "White Zombie."

FAIR, 2: "Cynara," "Hallelujah, I'm a Bum."

FAIR TO POOR, 2: "Robinson Crusoe," "Secrets."

POOR, "Rain," "Magic Night," "Perfect Understanding."

The following pictures have not yet been reported: "I Cover the Waterfront," "Samarang."

### Universal

EXCELLENT, None.

EXCELLENT TO GOOD, None.

GOOD, 3: "They Just Had to Get Married," "Private Jones," "Out All Night."

GOOD TO FAIR, 5: "Once in a Lifetime," "The All American," "The Old Dark House," "Air Mail," "The Big Cage."

FAIR, 4: "Afraid to Talk," "The Mummy," "The Cohens and the Kellys in Trouble," "Kiss Before the Mirror."

FAIR TO POOR, 2: "Nagana," "The Rebel."

POOR, 3: "Laughter in Hell," "Destination Unknown," "Lucky Dog."

The following pictures have not been released long enough for reports: "Don't Bet on Love," "Secrets of the Blue Room," "Moonlight and Pretzels," and "Her First Mate."

The following pictures are not included in the regular program:

"The Rome Express": Fair to poor.

"Be Mine Tonight": Good to fair.

"The Fighting President": Poor.

### Warner Bros. Pictures

EXCELLENT, 1: "Forty-Second Street."

EXCELLENT TO GOOD, 2: "I Am a Fugitive," "The Mayor of Hell."

GOOD, 2: "Blessed Event," "Picture Snatcher."

GOOD TO FAIR, 8: "A Successful Calamity," "Lawyer Man," "Hard to Handle," "The King's Vacation," "Working Man," "The Life of Jimmy Dolan," "Baby Face" (pretty sexy, though), "Narrow Corner."

FAIR, 7: "One Way Passage," "Parachute Jumper," "Wax Museum," "Girl Missing," "The Keyhole," "Ex-Lady," "Mary Stevens, M.D."

FAIR TO POOR, 3: "Scarlet Dawn," "The Silk Express," "Private Detective 62."

POOR, None.

The following is a special:

"Untamed Africa": Poor.

The total number of pictures of the different classifications each company produced and reported during the season is as follows. ("E" means Excellent; "EG" means between Excellent and Good; "G" means Good; "GF" means between Good and Fair; "F" means Fair; "FP" means between Fair and Poor; "P" means Poor. You may notice also that the First National and the Warner

pictures have been combined in one group, because many exhibitors bought both groups):

	E	EG	G	GF	F	FP	P	Total
Columbia .....	0	1	1	4	7	6	5	24
First National... 0		3	3	7	5	4	1	23
Fox .....	0	2	3	5	10	8	9	37
MGM .....	0	1	3	4	9	1	5	23
Paramount ... 0		2	10	12	10	12	2	48
RKO .....	0	0	2	7	11	8	5	33
United Artists... 0		1	0	1	2	2	3	9
Universal .....	0	0	3	5	4	2	3	17
Warner Bros.... 1		2	2	8	7	3	0	23
Warner-1st Nat. 1		5	5	15	12	7	1	46

If we should figure out the "showing" each company has made on a basis of 100 pictures for each company, which is a fairer way of comparison, we get the following results:

	E	EG	G	GF	F	FP	P
Columbia .....	0	4	4	17	29	25	21
First National ... 0		13	13	30	22	17	5
Fox .....	0	5	8	13	27	22	25
MGM .....	0	4	13	17	39	4	23
Paramount .....	0	4	21	25	21	25	4
RKO .....	0	0	6	21	33	24	16
United Artists ... 0		11	0	11	22	22	34
Universal .....	0	0	17	24	24	12	18
Warner Bros. .... 4		9	9	35	30	13	0
Warner-1st Nat.... 2½		11	11	32	26	15	2½

If we should group all the pictures of better than Fair quality, and then group those that are Fair, Fair-Poor, or Poor, as indicated in the first tabulation, we get the following results, expressed both in numbers and percentages:

	Good	Poor
Columbia .....	6 or 25%	18 or 75%
First National .....	13 or 56%	10 or 44%
Fox .....	10 or 27%	27 or 73%
MGM .....	8 or 34%	15 or 66%
Paramount .....	24 or 50%	24 or 50%
RKO .....	9 or 27%	24 or 73%
United Artists .....	2 or 22%	7 or 78%
Universal .....	8 or 47%	9 or 53%
Warner Bros. ....	13 or 56%	10 or 44%
Warner-First Nat. ..	26 or 56%	20 or 44%

Listing each company on a basis of quality delivered as compared with the rentals paid for the pictures, the order is as follows:

Warner Bros. Pictures .....	56%
First National Pictures .....	56%
Paramount .....	50%
Universal .....	47%
Metro-Goldwyn Mayer .....	34%
Fox .....	27%
Radio Pictures (RKO) .....	27%
United Artists .....	22%

Study these figures carefully and act accordingly. In any event, do not be hasty in purchasing product for the next season, for no one can foresee what will be the situation if the Administrator of the Industrial Recovery Act should adopt a code that will (1) force the producers to divest themselves of their theatres, (2) eliminate block booking and (3) make it possible for any exhibitor to buy pictures as long as he is willing to pay the price.

## MAKING THE HAYS CODE OF ETHICS THE BASIS OF A FEDERAL LAW

Expressing the views of theatre owners who became irked at the inability of Will H. Hays to curb the display of immorality in moving pictures, I asked what would Will H. Hays do if some Congressman took the Hays Code of Ethics, commonly known as the Hays Morality Code, and made it the basis of a law? He would have a tough time fighting if the law contained no other provisions save those that are contained in this Code.

That wish of mine has at last materialized, for Congressman Patman, of Texas, has done it; his bill bears the number H. R. 6097. Every word of the Hays Code of Ethics is in that bill.



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No. 31

## THE CODE CONFERENCE OF THE INDEPENDENTS

The Code Conference called by the Federation of the Motion Picture Industry of America, Inc., at the Astor Hotel, this city, on Monday and Tuesday, July 31 and August 1, ended its work Tuesday morning, and adjourned.

The meeting was well attended and proceeded to pass upon the different provisions of the tentative Code that was drafted by the Federation's counsel, Mr. Jacob Schechter. There was unanimity in everything.

The main practices held to be unfair and put into the tentative Code are the following:

1. Withholding of product from persons willing to purchase the same; that is, denying the right to the exhibitor to buy, and to the producer-distributor to sell, pictures.
2. Block-booking.
3. Interchangeability of playing time, and unfair pooling of theatres.
4. Buying combines among exhibitors.
5. Blind-booking.
6. Over-buying with the intent of keeping the product from competing exhibitors.
7. The substitutions of pictures without granting the opportunity to the exhibitor to determine whether said substituted pictures suit his requirements.
8. Control of theatres by producers and distributors.
9. The elimination of double features.

The sense of the Conference was that:

The first practice, which deals with the withholding of product, deprives the producer-distributor of bigger revenue because the independent exhibitor, although willing to pay more money than the affiliated theatre for the right to exhibit such distributor's pictures at an early run, cannot obtain them by reason of the internal arrangements between affiliated theatres and producer-distributors. Not only is the independent exhibitor deprived of the right to buy pictures at an early run; in many instances he cannot buy all pictures, and in some the choice pictures, at any run, the affiliated theatre demanding that either all or a certain number of a producer's pictures be sold to it exclusively; that is, with the understanding that these "exclusives" be barred from showing at any other theatre within the affiliated theatre's zone. This system, the different speakers at the Code Conference pointed out, contributes to unemployment and to wage reduction. In the last three or four years many exhibitors were compelled to suspend operations because of their inability to obtain product, and many others were compelled to lower wages as a result of reduced profits. The opinion was advanced that, with the right of an exhibitor to bid and buy pictures against any competitor definitely established, many thousands of theatres will reopen, thus providing employment to many thousands of idle workers. The increase of income of the producer-distributors who do not own theatres but who are compelled to acquiesce in the terms imposed upon them by the theatre owning producer-distributors will undoubtedly help to create more jobs for idle workers, and higher pay for all.

Volumes could be filled with the benefits that are to be derived from a "free market," but what has been said in the foregoing paragraph should be enough to convince any fair-minded person of the desirability for such a market.

The second practice, which deals with block-booking, will, if adopted, increase employment not only for the reasons given in the discussion of the first point, which are peculiarly applicable here, but also for the following reasons: The exchanges will be compelled to employ many more salesmen and other incidental persons needed in the sale of pictures than they are employing now, and many of

those that are now employed part-time will be put on an annual employment basis. Moreover, with the right to choose from a producer-distributor's product the pictures that best suit the tastes and character of the people of his community established, the exhibitor will be able to draw to his theatre a greater number of picture-goers, thus increasing greatly his box office receipts; and with increased box-office receipts he will be able to pay higher wages to those he employs. Another effect the elimination of block-booking will have will be that the producers, when they find out that poor pictures do not sell and that good pictures, being sought by every exhibitor, yield big revenue, will make good pictures, whereas now they are not concerned so much since they know that no matter how poor most of their pictures are the exhibitors have to buy them if they should want to obtain the few good ones.

The third practice, which deals with interchangeability of play-dates, prevents all those producer-distributors who are not in the "circle" from finding an outlet for their pictures, for when one theatre-owning company enters into an agreement to use the pictures of the other theatre-owning companies in return for having its own pictures booked by them, the market becomes closed to the independent producer-distributors. Such a state of affairs harms also the independent exhibitor, for he cannot obtain the pictures of any of the theatre-owning companies, even if he offered higher rentals. With the closing of the market to "outsiders," the quality of the pictures deteriorates, for the theatre-owning concerns, knowing that they have an assured market for their products, do not exert their best efforts towards improving the quality of their pictures. And you know what happens when the quality of the pictures deteriorates. We have had an example of it during the 1932-33 season, when the pictures were the worst since the 1922-23 season. With better pictures produced, the box office receipts of the exhibitor will be greater, and the producer will receive a greater share; and with greater profits, more jobs will be created for the unemployed, and the pay of those now employed will rise.

The fifth practice, which deals with blind-booking, has been declared an unfair method of competition because the big companies are, by means of the block-booking system, enabled to fill the play-dates, not only of their own theatres but also those of the independents, thus depriving the independent producer-distributors of the opportunity of competing for such play-dates. Moreover, it compels the exhibitor to buy goods he knows nothing about, concerning either the star, the director, or the story material. Under such a system the exhibitor often receives pictures that are altogether unsuitable for exhibition in his particular theatre, to his particular clientele. The elimination of blind-booking will put all producer-distributors on an equal basis. In this, they have the support also of the independent exhibitors, who demand a description of the goods they are about to purchase. And who can say that the exhibitor's demand for a description of the goods he is about to buy is unfair?

The sixth practice, dwelling with over-buying, is declared an unfair method of competition when it is done by one exhibitor to deprive his competitor of needed pictures. The insertion of such a point into the Code will be necessary even if the right of the exhibitor to bid for pictures is definitely established; otherwise there will be nothing that will prevent some exhibitors from buying more pictures than they need, at higher prices than those offered by their competitors, so as to create shortage of pictures for such competitors.

The seventh practice, which deals with substitutions, has been declared an unfair method of competition because it  
(Continued on last page)



### "Her First Mate" with Zasu Pitts and Slim Summerville

(Universal, Aug. 3; running time, 64 min.)

A good comedy; it has plentiful laughs and action. The laughs are brought about by the way Zasu and Slim work at cross-purposes, but each with the same idea in mind—to own a ship. The situation in which Slim watches with glee the burning of the ferry boat only to find out later that Zasu had bought it for him is very funny; he goes about breaking up the house. Another funny situation is the one in which Slim, thinking he was being saluted by a government ship, sends back a gun salute, only to have his ship blown up. Una Merkel and Warren Hymer, as two dumb lovers, help supply some of the laughs:—

Zasu and Slim are married. He imagines himself a real navigator and dreams of sailing the seven seas with a big ship. But she has more practical ideas—she has her eye on the ferry boat which has good business possibilities. Without telling Slim she invests their life savings of \$5,000 in the purchase of the ferry, while Slim, without telling her, is negotiating for the purchase of a ship. When she refuses to give him a check to buy his ship he is angry. The next night the ferry is rammed and burns. When Slim learns that he is the owner of the ferry he rages some more, breaks dishes, and leaves. He negotiates with the ship owners to turn over his home in exchange for the ship. One day he has trouble navigating it and realizes he is inexperienced. Suddenly a shot is heard and thinking he was being saluted he fires back. A counter-attack splits his boat and it sinks. He is saved by the Government ship which had fired the shot because the boat was known as a run-runder. He gives explanation and is released. In the meantime a new ferry and pier had been built for Zasu by a bus company in exchange for the privilege of running their buses on the ferry. Slim returns home, glad to take over the command of the ferry boat, and also happy to find that Zasu had dispossessed the fake ship owner from their home.

The plot was adapted from a story by Dan Jarrett, Frank Craven and John Golden. It was directed by William Wyler. In the cast are Berton Churchill, Henry Armetta, George Marion and Jocelyn Lee.

Suitable for children, adolescents, and for Sundays.

Substitution Facts: This is replacing 5012 listed on the contract as "Zeppelin," and described as "a drama whose action takes place aboard a giant trans-ocean dirigible." It is, therefore, a theme substitution.

### "Midnight Club" with George Raft, Clive Brook and Helen Vinson

(Paramount, July 28; running time, 66 min.)

Just a fair crook melodrama, of the program grade. Although the idea behind the crooks' plan of using doubles is ingenious and provides some clever dramatic as well as comedy situations, yet it is so implausible that it can never be taken seriously. Most of the situations demand that the spectator stretch his imagination to a considerable degree. For instance, crooks walk in and out of homes of wealthy people as if they owned the place, quietly going about their business of stealing jewels, walking out to the reception hall and taking their time about departing. The fact that one knows from the beginning that the crooks were using doubles to work out their alibis holds one in suspense wondering how their scheme will be discovered. The closing scenes are the most exciting; it is where the hero, who had joined up with the crooks, is found out by them to be a detective:—

A series of jewel robberies had been committed in London, and although the Scotland Yard chief suspected a certain titled gentleman and his friends still he could not pin anything on them; they always provide an alibi of being seen by several other people. What the chief did not know was that these crooks were using doubles who stayed at the cabaret while they were out stealing. The chief calls in an American detective to help him solve the robberies. This detective (hero) looks so much like a crook himself that no one would suspect him of being a detective. He joins up with the gang and falls in love with the girl connected with them. He tries to find out why she was in such a racket and she tells him she craved excitement. By being with the gang the hero finds out all their secrets and is all ready to raid their place when by chance they discover he is a detective. They bind him to a chair and make their escape but the heroine unties him and remains with him. She is arrested but refuses to talk. The chief of the crooks, always having loved the heroine, and realizing that she

and the hero loved each other, gives himself up in return for the heroine's release. She leaves with the hero to start life anew.

The plot was adapted from a story by E. Phillips Oppenheim. It was directed by Alexander Hall and George Somnes. In the cast are Alison Skipworth, Sir Guy Standing, Alan Mowbray, Ferdinand Gottschalk, Ethel Griffies, and others.

Because the characters are shown stealing it is unsuitable for children, adolescents, or for Sundays.

### "His Private Secretary" with Evalyn Knapp and John Wayne

(Hollywood Pictures; running time, 61 min.)

A moderately entertaining picture of program grade. It moves rather slowly and although there is some human interest it fails to hold the attention throughout. Sympathy is felt for the heroine who makes every effort to reform the hero into a hard-working man instead of a playboy. There is little suspense, however, since the story is routine.

In the development of the plot the heroine marries the hero without knowing that he is the son of a wealthy man. He takes her to town to meet his father but the father, thinking she is a gold digger, refuses to see her. The heroine goes to work for the father as his private secretary without revealing her identity, and he becomes very much attached to her. She brings about the reconciliation between the father and the hero and when she calls at a party to meet the hero and tell him the good news she finds him in a compromising position with a young girl and leaves him. He does not hear from her for weeks. But she decides to forgive when she learns he is making a success of himself in business.

The plot was adapted from a story by Lew Collins. It was directed by Phil Whitman. In the cast are Alec B. Francis, Arthur Hoyt, and others.

Because of the one suggestive situation you will have to use your own judgment about showing it to children or on Sundays.

### "The Devil's in Love" with Loretta Young, Victor Jory and David Manners

(Fox, July 21; running time, 69 min.)

Fair entertainment. The plot of "The Devil's In Love" has been used many times and does not present any novel twists. But the attention is held because there is human interest in the story, brought about by the persecution of an innocent person. The hero and the heroine are both sympathetic characters. The background is colorful and there is fast action in some of the warfare scenes. Suspense is sustained due to the fact that one is in fear lest the hero be found and brought back for punishment of a crime he did not commit:—

The hero is a doctor at one of the army posts of the Foreign Legion. The commander-in-chief is a brutal man who tries to break the hero's will. The only comfort that the hero has is in his companionship with one of the officers, who had been his pal for years. The general is found dead of poisoning and the hero is held for the murder. He escapes and takes up a residence in a small town where he practices medicine. The woman who owns the town cabaret is madly in love with him but he will not have anything to do with her. Eventually he goes to live with the Priest of the town, so that he may take care of the poor sick people. There he meets the heroine, the priest's niece, and although they fall in love with each other he refrains from telling her so because of the sentence hanging over his head, and also because he learns that she is engaged to his pal. The police chief is suspicious of the hero and is ready to make an arrest but he is stopped by the cabaret owner who entices him to her room so that the hero and the heroine might escape. They go to the hero's pal whose men were down with fever and were being attacked by the enemy troops. While there the hero forces a confession from the man he had always suspected and so he is cleared. He joins his pal in the fighting and soon help arrives and they are saved. The pal is killed in the last minute of fighting. This leaves the way clear for the hero and the heroine to be united.

The plot was adapted from a story by Harry Hervey. It was directed by Wilhelm Dieterle. In the cast are C. Henry Gordon, Vivienne Osborne, and others.

Not suitable for children, adolescents, or for Sundays.

Substitution Facts: This is replacing No. 4 listed on the contract as "Bad Boy," from the story by Vina and Eugene Delmar. It is a story substitution.



### "Strangers Return" with Lionel Barrymore, Miriam Hopkins and Fanchot Tone

(MGM, July 21; running time, 87 min.)

Although "Strangers Return" offers some good character studies, particularly the one portrayed by Lionel Barrymore as a self-willed old man, it is too slow for the masses. It will probably be enjoyed by audiences that like country life as the background for a picture, for the rustic atmosphere and the pride that Barrymore takes in his farm are realistic and believable. But it will be disappointing to the average picture-goer because of the unhappy love affair between the hero and the heroine. It is difficult to sympathize with either one of them because the hero is married to a very decent woman, thoughtful and kind, and they have a charming child; yet he seeks the heroine's love. One unpleasant scene is where this child comes upon his father kissing the heroine. One feels more respect for the hero in the closing scenes when he parts from the heroine. There is some comedy in the situations where Barrymore "plays" at being insane, and the drunken habits of Stuart Erwin provoke laughter:—

Miriam Hopkins, having separated from her husband in the city, comes to visit her grandfather and stay with him at his farm for a while. He hates the relatives living with him because they always nag him, and he grows so fond of Miriam that he is determined to make her his heiress. The relatives had always had high hopes of some day owning the farm and do everything in their power to dissuade Miriam from staying. In the meantime she falls in love with Fanchot Tone, who likewise loves her, but they realize that it is impossible since he is married and is the father of a son, and he cannot do anything to hurt his wife who had always been good and kind. Barrymore, without revealing himself to anyone but Fanchot Tone, makes believe he has gone insane, just to get the reaction of the different relatives. Miriam clings to him but the others call in the authorities and plan to put him away. It is then that he proves to them his purpose and wills everything to Miriam, with just a few minor bequests to the other relatives. He soon dies and Miriam becomes the owner of the large farm, to which she had become accustomed and loves. Fanchot Tone comes to tell her that he sold his farm and is moving to the city with his wife and child. There is a sad parting between Fanchot and Miriam, but Miriam now feels that she will devote her life to the farm.

The plot was adapted from the novel by Phil Stong. It was directed by King Vidor. In the cast are Irene Hervey, Beulah Bondi, Tad Alexander, Grant Mitchell, and others.

Although there is nothing immoral in the love affair between the hero and the heroine, yet you will have to use your own judgment about showing it to children, adolescents, or on Sundays.

### "Sleepless Nights"

(Remington Pictures; running time, 65½ min.)

This is a British production with an all English cast. It is a fairly entertaining musical comedy, though the sound at times is muddled, spoiling the effect of some of the musical numbers. The plot offers comical situations, and although the comedy occasionally becomes almost silly, yet one is forced to laugh because of the plight the hero and the heroine find themselves in when they are forced to say they are married, although they really are not. The situations on the yacht, in which the heroine's father keeps bringing the hero back to his daughter's room, thinking they had quarreled, will provoke laughter. Suspense is sustained throughout since the audience knows they are not married and are in fear lest they be found out:—

The hero, a newspaper reporter, is sent to get a story from an American millionaire about a rare jewel. At the hotel where he is stopping he helps the heroine get rid of a young man who was annoying her; she was supposed to have married this young man but since he was putting it off she was angry and did not wish to talk to him. The hero falls in love with her. That night, hearing a commotion in the hall, she opens her door and then it closes on her. She accepts the hero's offer to pass her through his room into her room, since there was a connecting door between them. While she is there his editor calls and to save the girl's reputation he introduces her as his wife. Her parents arrive, too, and they take the hero in their arms, thinking he is their son-in-law. The father turns out to be the rich American the hero was sent to interview and all go aboard the yacht for a celebration. The young man, threatening to expose the heroine and the hero unless he

is taken along on the yacht, accompanies them. It develops that he is a thief out to get the rare jewel but the hero thwarts him in his plans and puts him off the boat. Not wanting the girl's parents to know about the marriage farce he tells them they lost their license and ring and so the father has the Captain marry them. Since they are in love with each other that is agreeable to them, and now it is not necessary for them to run away from each other.

The plot was adapted from a story by Stanley Lupino. It was directed by Thomas Bentley. In the cast are Polly Walker, Stanley Lupino, Gerald Rawlinson, Frederick Lloyd, Percy Parsons, and others.

Because of several suggestive situations it is unsuitable for children, adolescents, and for Sundays.

### "She Had to Say Yes" with Loretta Young, Lyle Talbot and Regis Toomey

(First Nat'l., July 15; running time, 64 min.)

A vulgar and demoralizing sex melodrama, that offers little in the way of entertainment. Throughout the heroine is forced to fight in order to remain chaste, and the two men in her life are both despicable characters, always suspecting her of being indecent. The first one uses her for the benefit he might derive in sending her out with his customers; the second one, although in love with her, is constantly accusing her of being indecent and on different occasions attempts to compromise her. Some of the conversation is ugly, and is very clear as to its intent. The comedy is rough and only occasionally funny. One situation is funny; it is where the heroine tricks a customer into signing a contract by bringing his wife up to a private dining room where she had been invited:—

The heroine is in love with the sales manager of the dress manufacturing concern in which she is employed as stenographer. She finds out that he is just using her because of her good looks in making contacts with his customers and that he is making love to other girls. She gives him up. One of the customers he sends her out with is the hero, who thinks she is like all the rest of the customers' girls. He apologizes when he finds out his mistake and they soon become good friends, later falling in love with each other. He, too, asks the heroine to help him obtain a contract and she does this through trickery. The hero hears about it and thinking she had been indiscreet insults her. He even takes her to the empty house of a friend with the intention of possessing her but again he finds he had been mistaken. Finally things are cleared up and they are united.

The plot was adapted from a story by John Francis Larkin. It was directed by Busby Berkeley and George Amy. In the cast are Winnie Lightner, Hugh Herbert, Joe Cawthorne, Ferdinand Gottschalk, Suzanne Kilborn, and others.

### THE STRIKE AT THE HOLLYWOOD STUDIOS

Until the strike of the sound men at the Hollywood studios is settled, I should advise every exhibitor to think twice before signing a contract for pictures from the following concerns: Columbia, Fox, First National, Metro-Goldwyn-Mayer, Paramount, RKO, Twentieth Century, United Artists, Universal, Warner Bros., Samuel Goldwyn and Harold Lloyd, for the sound recorded by the inexperienced men engaged to take the place of the men who went on strike is, as I have been informed, "atrocious."

It is natural that it should be, for experienced men cannot be found overnight. Even experienced men require to be acclimated before being able to deliver good work; with inexperienced sound men, this is impossible. That is why I am warning you; if you do not heed this warning, you will regret it; when you get the pictures and put them on the screen, your patrons will not be able to understand what is said and may walk out on you.

I have been informed reliably that on July 26, Ernst Lubitsch, Gary Cooper, Wallace Beery, Mae West and the four Marx Brothers walked out because of the poor sound quality recorded by the strike breakers.

I shall try to obtain more information and will let you know through these columns so that you may be able to protect your interests. At this time, however, I may say that the producers have shown little judgment in allowing a strike to go on at a time when the Federal Government has been exerting superhuman efforts to find employment for idle men. These producers have not only not shown in this instance a spirit of cooperation with the Government, but went contrary to the spirit of the National Recovery Act.



is contrary to all contractual rights. When the producer announces in the beginning of a season a certain number of pictures, using as sales arguments novel, magazine story, author, director, or star to induce the exhibitor to buy such pictures, the exhibitor is entitled to receive the pictures as announced and not otherwise. It is true that often the producer finds himself unable to deliver the pictures as originally specified; but he has no right to substitute other pictures without the exhibitor's consent.

The eighth practice deals with one of the most knotty problems of the motion picture industry — ownership or control of motion picture theatres by producer-distributors, seeking their divorcement from them.

Divorcing of the theatres from production and distribution will save the business, for if it is bankrupt today its bankruptcy has been brought about by the theatre-acquisition policies of the major companies. And these policies were brought into the industry, in the 1928-29 form, by the theatre department of Paramount. When in the early days of talking pictures some of the heads of Paramount saw the large returns from talking pictures, they conceived the idea of getting together a circuit of several thousand theatres so as to put themselves into a position of assuring a return of the negative cost and a profit from their own theatres, thus placing themselves in a position where they could dictate to the rest of the industry the terms upon which, not only Paramount pictures could be had, but also their pictures would be exhibited at Paramount theatres. This frightened the other large companies, for they feared that Paramount, by the acquisition of the most important theatres in the country, would control the most profitable play dates, shutting out their product. Thus a wild scramble for the acquisition of theatres had begun among all theatre-owning producer-distributors.

The crash came and the large concerns found themselves in control of large numbers of theatres. When the smoke cleared, it was found that some of the large circuits were losing as high as one-half million dollars a week each. It was these losses that brought about their financial difficulties. How seriously the losses from these theatres affected the financial stability of these companies may be deduced from a report that recently reached this office to the effect that a circuit which one of these companies had bought three years ago for approximately \$5,000,000 was sold for \$700,000, not for cash but on the installment plan, to be paid over a period of several years.

It is humanly impossible for one, two, or three executives, each sitting on a chair before a mahogany desk in a building on Broadway, to conduct profitably theatres scattered all over the country. No two or three men could do the thinking of thousands, the thousands of owners who conducted these theatres before. These executives, drunk with the success of the early years of talking pictures, could not see the logic of this. That is one of the main reasons why the industry is prostrate today. Without the heavy losses these companies sustained from theatre operations, the industry would undoubtedly have been in a sound financial condition today, regardless of the depression, for amusement is the last point of economy in the life of any person or family. At the present time these companies are earning some profits from the sale of film, but with some of them these profits are offset by the losses from their theatre operations and their real estate investments. When they are compelled to divest themselves from their theatre holdings, they will undoubtedly regain the position they once held.

The ninth practice, which deals with the attempts of the major companies to ban double features so as to create a bigger market for their shorts, has been declared unfair because, if double features were banned, the independent producer-distributors will go out of business, and many theatre owners will be compelled to shut down their theatres, or to greatly reduce the wages to labor, for if the independent producer and distributor is able to exist today, despite the stranglehold the big companies have been exerting upon exhibition, it is due to his ability to sell his pictures mostly to exhibitors who show two features on the same bill; and if many independent exhibitors, competitors of circuit theatres, are able to carry on operations today, it is owed to their ability to draw patrons to their theatres by showing two features on the same bill.

Why should it be wrong for an independent theatre owner to show two features at the same time, when affiliated theatres give vaudeville, raffle automobiles, and hold grocery store nights, and some of them go so far as to show with the picture, for the same admission price, con-

densed versions of stage plays, which on the stage were shown anywhere from \$2.50 to \$5.50?

Some of the minor practices declared unfair are the following: (a) Holding over of prints; (b) Bicycling; (c) Failure to report promptly correct receipts from percentage bookings; (d) Commercial bribery; (e) Inducing a breach of contract; (f) Obscenity in motion pictures; (g) Obscenity in advertising.

Since the Code Conference a suggestion was made to include among the unfair competition practices cases where the advertisers combine to withhold advertising from newspaper, periodical or magazines as a means of coercing the publishers to give the advertisers favorable mention in the editorials, and in the news columns, and praise the pictures in the reviews, regardless of merit. Undoubtedly the Federation will support before the Code Administrator such a proposal.

Before the Code Conference adjourned, a resolution was passed empowering the president to appoint a committee to confer with labor, as the NRA requires; also to empower the president and the counsel to present the final proposed Code to the Administrator at Washington.

One thing the independent producers, distributors, and exhibitors may be sure of, and that is, that the Federation, and the independent exhibitor organizations, working together as they now are, will receive as much attention as any other organized group in the industry.

Monday evening, the first day of the Conference, the Federation gave a dinner to which many were invited. The dinner was a great success, all those present freely stating that excellent work had been done towards framing a code that would help rehabilitate the industry.

As to the Federation of the Motion Picture Industry of America, Inc., allow me to say that it is a force that must be reckoned with when matters of importance to every one in the industry are to be decided. Just how big a force it is you may judge for yourself by the following incident: Immediately after the adjournment of a Board of Directors meeting, which we held at the office of our counsel, Mr. Schechter, and which lasted until 1:30 Friday morning, we dispatched telegrams to seventy exchangemen outside the New York City zone, requesting their proxies, to be sent to any of four members named in the telegram. By Monday afternoon, more than fifty responded favorably, assigning their proxies to the different members named. When you bear in mind that there are no more than one hundred exchangemen in the country, including New York, the responses represented a large majority when the New York exchangemen are counted in, and when the fact that Independent Motion Picture Producers and Distributors, of Hollywood, has passed a resolution endorsing the Code work of the Federation, is taken into consideration. Thus we can say that the Federation is no longer an experiment, no longer a dream, but a reality—a vital factor for fair and equitable dealings among all persons engaged in the motion picture industry, a factor which, as time goes on, will prove a great boon towards the industry's rehabilitation.

### DEPUTY ADMINISTRATOR CALLS GROUPS TOGETHER

Our organization has received the following telegram from Mr. Sol A. Rosenblatt, Deputy Administrator of N.R.A.:

"I have sent the following wire to producer-distributor, and exhibitor organizations of the motion picture industry. 'The motion picture industry presently divided into groups and factions must compose their differences and unite so far as possible to submit a code at the earliest moment. I understand various groups are working separately. They must work together. I am calling a meeting of all organizations at the assembly room of the Bar Association Building, 42 West 44th Street, New York City, for Tuesday morning, August 8th, at 10 a. m. This is not an industrial hearing but is to formulate a compact, representative, authorized group for code formulation purposes. Please have three or lesser number authorized representatives of your organization present who will at once engage in the serious work of formulating a code.'

"If there are any bona fide motion picture organizations now working on codes who have been overlooked I will appreciate hearing from them immediately at the Commerce Bldg., Washington, and will arrange for their representation. Counsel of organizations invited if they desire and any group can have more than three representatives but I prefer to keep numbers small. Your representatives are likewise cordially invited to attend."



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## THE DOUBLE STANDARD

Warner Bros. have two standards in the conduct of their business. The one they apply to themselves; the other they apply to others.

The business conduct I have in mind refers to double features. In their contracts in some territories they print with a rubber stamp a provision making it a breach of contract on the part of any exhibitor to show their features in connection with the features of others; but they do not enforce this ruling when their own theatres are concerned.

Warner Bros. are not concerned about ethics; what they are chiefly interested in is to sell more short subjects. And the only way by which they could do it is to make more room for shorts on the bills of the independent theatre owners. And bringing about the elimination of double features will provide for such room.

The independent producers and distributors are naturally much wrought up over this policy, which has been adopted by other producer-distributors, and which all members of the Hays association are in favor of. And you cannot criticize them for it because their very existence is threatened.

As I said in these columns before, this problem should concern also the independent theatre owners, for if the major companies were allowed to get away with the banning of double features the independent producer-distributors will go out of business. And such an outcome will not be of any help to the independent exhibitors, for it will bring about a tighter stranglehold upon the industry by the big companies.

The number of good pictures that were produced when the number of feature pictures produced each year was double the present number was far greater than it is today, even though the proportion is about the same; for since stories are still selected on the "hit and miss" system, the larger the number of features produced the greater the chances of producing a larger number of good pictures. None in the industry figured the matter this way and every one adopted the slogan: "Fewer and Better Pictures." Since the pictures do not become better by making a fewer number, our slogan should be: "More feature pictures."

Keeping the independent producers alive should be one of the concerns of the independent exhibitor.

Aporepos of this, let me quote from the column of an article by Eileen Creelman, which appeared in the Friday, July 21, issue of the New York Sun:

"The motion picture theatres are going in heavily for stage shows this week. At the Capitol Theatre (MGM house) there is Ethel Barrymore making her first appearance in a film playhouse. At the Paramount is the negro drama with music, 'Run, Little Chillun,' which ran so long in a Broadway legitimate theatre last season.

"The Capitol's film is 'Storm at Daybreak.' . . . With Miss Barrymore in Sir James Barrie's one-act play, 'The Twelve-Pound Look,' appear also Georgie Drew Dendum, Harry Plimmer and Edward McHugh. Harrison and Fisher, Ross and Edwards, Phil Spitalny and his orchestra, the Chester Hale girls and Harold Arlen, with a choir of sixteen voices, complete the stage entertainment.

"The Paramount offers a comedy, 'Mama Loves Papa.' . . . Jackie Held, eight-year old prodigy, will conduct the Paramount Orchestra for a second week. The Negro folk drama, 'Run Little Chillun,' . . . presents him and his choir of seventy-five voices. Among the 125 actors are Freddie Washington and Harry Bolden."

The admission prices to either theatre are from 35c to 75c.

Recently I happened to pass by the Circle Theatre, a Loew house at Broadway and 59th Street, and noticed the following lobby advertisement:

"'Secrets' and 'Clear All Wires,' with Five Acts of Vaudeville—Matinee 15c—Evening 25c."

And then the big companies have the brass to tell you that you should not show two features on the same bill!

How about proposing a code provision banning all vaudeville, condensed versions of stage shows, and even presentations from theatres that show pictures? How would the major producers like to have the rest of the industry propose such a provision? And yet it is not any different from their demanding that the showing of two features on the same bill be declared an unfair method of competition.

My theory is that the major companies are fighting for the banning of the double features as a part of a strategic plan: they want half of the industry to fight them on it so that, when they eventually give in, they will appear as having given in on an important point. In this manner you will have exhausted yourselves fighting for something they cannot put over in order that you may not fight so hard for something they dread—the right of the exhibitor to bid and obtain film against any competitor.

## MUST EXHIBITORS SIGN PRESIDENT ROOSEVELT'S BLANKET CODE?

Many independent theatre owners have been making frantic appeals to this paper and to Allied to be told what to do with President Roosevelt's Blanket Code. If they sign it, they fear that they will be compelled to close their theatres, because their overhead will be so increased that they will not be able to carry on.

Mr. Abram F. Myers, general counsel of Allied States, has been in communication with the Administrator of the NRA, to whom it has presented this problem. What decision will be taken in the matter has not yet become known.

Though no one is compelled to sign the Blanket Code, no theatre owner can afford to be without the Blue Eagle insignia; he would undoubtedly be boycotted by the public. On the other hand, the Blanket Code provides for relief—the signer may petition the Administrator for relief, stating clearly his particular circumstances which make it impossible for him to remain in business under the provisions of this Code.

Before the month is over, perhaps a Code that will take care of such matters will have been adopted by the entire industry.

HARRISON'S REPORTS has already signed the Blanket Code.

## THE CASE OF "SONG OF SONGS"

"Song of Songs" was announced by Paramount last season. But Paramount has announced it again this season among its 1933-34 group of pictures.

Because of the fact that the Paramount contract contains no titles, but specifies only that the company promises to deliver a maximum of sixty-five pictures, some exhibitors feel that the case of "Song of Songs" is analagous with that of "Gold-Diggers of 1933."

This paper concurs with the opinion that has been expressed by these exhibitors, even though it considers it fortunate for the small town exhibitors that Paramount did not make up its mind to deliver it in its 1932-33 group of pictures, for it cannot be shown in small towns by reason of its boldness—it shows the statue of a nude woman ninety-nine per cent as the woman looks in life.

Yet we are fighting for a principle and not for any particular case. Paramount is as guilty of having done an injustice to the exhibitors by withholding this picture as is Warner Brothers, who have taken "Gold-Diggers" away from them.

Something has to be done to put an end to the abuse. The exhibitors should fight for a provision in the Code making this an unfair method of competition.



### **"Another Language" with Helen Hayes and Robert Montgomery**

(MGM, July 28; running time, 75 min.)

Beautifully performed by Helen Hayes and an excellent supporting cast, "Another Language" should prove entertaining to the masses, in spite of the fact that it moves slowly and is mostly talk. It has much human interest, and the heroine is such a sympathetic character that the interest is held because of her struggle to free herself from the smug surroundings of her husband's family. In addition, the characters are so true to life that the spectator will feel as if he knows somebody just like the one portrayed. The closing scenes are dramatic and are handled with good taste considering that the sex element is involved. One is held in suspense during these scenes for fear that the relationship between the heroine and her young nephew will be misinterpreted. Comedy is provided by the boorish manners of some of the members of the family:—

The heroine, married to the hero, cannot tolerate his family because of their smug outlook on life. The hero's mother, a selfish woman who wants to be surrounded and petted by her children, in turn dislikes the heroine because she goes to art school instead of staying at home at all times. The hero's nephew, a young boy interested in architecture, but forced to work in his father's office because of family insistence, meets the heroine at one of the family parties and falls in love with her. She tries to give him understanding but tells him she loves her husband. At a party which she gives for the family she has a quarrel with her mother-in-law and they all leave. The hero leaves, too, because he feels his wife was wrong. The nephew, who had been the cause of it all, comes back to apologize and stays with the heroine until three o'clock in the morning. The following morning the heroine goes to her mother-in-law's home to apologize but tells the hero she is through with him. The nephew, too, arrives after having walked all night and when he is chastized he tells them he loves the heroine. Realizing the heroine is innocent and that he must save her reputation, the hero says he knew all about it and treats it all as a joke, despite the pleas of the heroine not to do so. The heroine, after telling the family what she thinks of them, leaves but the hero knows now that she is right and leaves with her to live their own lives without family interference.

The plot was adapted from the play by Rose Franken. It was directed by Edward H. Griffith. In the cast are Louise Closser Hale, John Beal, Henry Travers, Willard Robertson, Minor Watson, Maidel Turner, and others.

Since the sex situation has been handled delicately it should prove suitable for children, adolescents, and for Sundays. It should, however, be up to each exhibitor to decide this for himself.

### **"The Important Witness"**

(Tower Productions; running time, 60 min.)

For exhibitors who cater to audiences that like gangster melodramas, this is pretty good program grade entertainment. One is held in fair suspense throughout due to the efforts of the gangsters to prevent the heroine from testifying against them. The closing scenes are exciting and are in a way novel. There is one defect to the picture, though, and that is the sound in it occasionally goes bad:—

The heroine, a public stenographer, is called to a room in the hotel to take dictation. The man who had called her there was a racketeer and while she is there she is an eye-witness to his murder by two gangsters. Fearing lest she might testify against them, they take her prisoner and she, by feigning interest in the leader, gets some information and acts as if she wanted to stay with him. In the meantime, a friend of hers, who had been living with the racketeer, is arrested for the murder. The heroine finally manages to make her escape from the gangster's hideout and hails a bus driven by the hero, who was in love with her and had been looking for her, not understanding why she had disappeared. He promises to take her to the police after he checks in and they resume their trip in the bus supposedly driven by his relief man. But the bus is being driven by one of the gangsters, who had followed the heroine. On the bus are two other gangsters ready to kill both the hero and the heroine. But their plans are foiled and the hero brings them to the police. The heroine testifies against them and her friend is released. The hero and the heroine are married.

The plot was adapted from a story by Gordon Morris. It

was directed by Sam Newfield. In the cast are Noel Francis, Dorothy Burgess, Donald Dillaway, Noel Madison, Robert Ellis, Charles Delaney, Harry Myers, Franklin Pangborn, and others.

Not suitable for children, adolescents, or for Sundays.

### **"No Marriage Ties" with Richard Dix**

(RKO, July 7; running time, 72 min.)

Only fair entertainment, and at that not for the family circle. The hero is presented as a most unattractive character, (which incidentally is not the fault of Richard Dix, who gives a good performance)—he starts off and ends by being drunk, and in between he is unscrupulous in business and unfaithful in his love affairs. He deserts one woman to marry another but changes his mind, causing the second woman to commit suicide because of this. Nothing that he does is uplifting, as a matter of fact, it is demoralizing, and he wins no sympathy. But the heroine is a sympathetic character, because of her efforts to make a man of him, although one almost feels as if he were not worthy of it. The situation in which the heroine learns that the hero is to marry another woman brings about pity for her.

In the development of the plot the hero, celebrating his dismissal from his newspaper because of dissolute habits, mostly drinking, goes to his favorite speakeasy and becomes more intoxicated than ever. The owner of an advertising agency, attracted by his wit, gives him his card to call on him to see him. The heroine, having wandered into the speakeasy, and having become interested in the hero, takes him to his home and stays there. After that they live on as lovers with the understanding that marriage is not to enter into their lives. He becomes connected with the advertising agency, where he engages the heroine as an artist, and soon he is a partner, having made a great success of the business by wild and exaggerated methods of advertising. He becomes infatuated with one of his clients and proposes to her. She accepts him but just before the marriage he realizes he loves the heroine and tells his fiancée so. She is so heartbroken that she kills herself by jumping from the window. The heroine is horrified and leaves the hero to go to Europe. He is tired of his fake advertising business and quits. He goes back to his speakeasy and starts back at his drunken habits. The heroine, returning from Europe, goes there and finds him. She takes him home this time determined not to leave him again.

The plot was adapted from the story by Arch Gaffney and Charles Curran. It was directed by J. Walter Ruben. In the cast are Elizabeth Allan, Doris Kenyon, Allan Dinehart, David Landau, and others.

Not suitable for children, adolescents, or for Sundays.

### **"Her Bodyguard" with Edmund Lowe and Wynne Gibson**

(Paramount, July 21; running time, 68 min.)

Just a fair comedy. It hasn't much human interest since the characters involved are not the types that arouse sympathy. But it is light entertainment and should amuse fairly adult audiences. The comedy, which at times becomes rough and suggestive, is provoked by the hero's insistence on taking his job, that of watching the heroine and her jewels, seriously. He had been engaged by the heroine's lover, who was jealous of her stage manager, to be the heroine's bodyguard, never to leave her alone with the manager.

In the development of the plot the heroine falls in love with the hero. But in order to teach him a lesson she eludes him and goes driving one night with the manager. Her jewels are stolen and the hero is very angry because she had double-crossed him. He is determined to make good in his job and so sets out to find the crooks and get the jewels back. The heroine is forced to leave town to play in her new show, but she is so distracted because of her fear that something might have happened to the hero that her manager feels she will ruin the show. But the hero catches the train, tells the heroine what he thinks of her, gives her back her jewels which he had recovered, and then has the train stopped and leaves. The heroine does the same thing and follows him. She apologizes to him and finally they are reconciled. Her former lover, realizing she had left him, starts an affair with her pal.

The plot was adapted from a story by Corey Ford. It was directed by William Beaudine. In the cast are Edward Arnold, Johnny Hines, Marjorie White, Allan Dinehart, Fuzzy Knight, and others.

Not suitable for children, adolescents or for Sundays.



### "The Wrecker" with Jack Holt, Genevieve Tobin and George E. Stone

(Columbia, July 10; running time, 71 min.)

Just average entertainment of program grade. It has some human interest in the friendship between Jack Holt and George E. Stone, but aside from that the story does not present anything novel. It is one of those domestic triangles that is a little more unpleasant than the usual picture of that type because of one ugly situation—that is where Jack Holt returns to his own home to find his wife in a compromising position with another man. Sympathy is felt for Holt because of his suffering and complete collapse, but one cannot forgive him when he sets out to murder both his wife and her lover in a horrible way.

In the development of the plot Holt, a building wrecker, marries Genevieve Tobin and they have a child. His business progresses until he is a wealthy man. He keeps up a friendship with George E. Stone, a Jewish junk dealer, but his wife, once she attains social position, does not care to know Stone. Holt is called away one night and his wife entertains Sidney Blackmer, with whom she was infatuated. Holt unexpectedly returns that night and finds them together. He leaves in a daze, eventually divorces his wife and gives up his business. Stone never forgets him and goes in search of him. He finds him, a drunkard in a flop house, takes him home and brings back the desire in him to live by arranging for him to see his child. At the opening exercises of a school building there is an earthquake and the building collapses, with Blackmer and Tobin, now married, caught in it. Holt offers his aid in extricating them from the building but his plans are to kill them. He is stopped from doing this by Stone. Instead there is another quake and the two are killed. Holt now has his child and starts life over again.

The plot was adapted from a story by Albert Rogell. It was directed by Albert Rogell. In the cast are Ward Bond, Irene White, and others.

Not suitable for children, adolescents, or for Sundays.

### "Mary Stevens, M.D." with Kay Francis, Lyle Talbot and Glenda Farrell

(Warner Bros., July 29; running time, 71½ min.)

Only moderately entertaining. It rambles along at the beginning without any action or much of a story to hold the interest. And in the second half the producers have used for their great dramatic punch the death of the heroine's child, which is heartbreaking. It will prove extremely depressing to mothers who have lost children. In addition, the manner in which the baby contracts the disease is unpleasant—it shows the baby sucking a pen that had been in the mouth of a child who had the fever. The complete collapse of the heroine is pitiful. There is one suspenseful situation; it shows the heroine going to the window with the intention of jumping to her death, only to be brought back to her senses by a patient:—

The hero and the heroine are good friends, having gone through medical college and opening their offices together. He is impatient and wants to succeed rapidly. He meets a society girl whose father is a politician and he marries her. This makes the heroine miserable for she loved the hero. Medicine becomes a racket to him and he soon accumulates wealth. But during an investigation of the racket he is indicted and his father-in-law insists that he leave town. It so happens that the heroine is a guest at the same hotel, having gone there for a rest. They meet and declare their love for each other and she stays with him. The indictment is squashed and he plans to get a divorce but his wife, acting on her father's orders, refuses to divorce him saying that she is going to have a baby. The heroine, realizing that she is going to have a baby, too, and not wanting to burden the hero, goes to Europe with a pal. There she has her baby and when the hero telephones her he induced his wife to give him a divorce she takes the next boat home. Aboard the ship two children contract paralysis and then her baby does. She is helpless to do anything for her child until serum comes and by the time it does arrive the baby is dead. She cannot be consoled and does not even want to see the hero. She attempts to commit suicide but is prevented from doing so by the urgent appeal of a parent whose child was in need of medical attention. She overcomes her pessimism and marries the hero.

The plot was adapted from a story by Virginia Kellogg. It was directed by Lloyd Bacon. In the cast are Thelma Todd, Harold Huber, Una O'Connor, and others.

Not suitable for children, adolescents, or for Sundays. Too heart-rending for parents.

### THE STRIKE AT THE HOLLYWOOD STUDIOS

In treating of the strike at the Hollywood studios last week, I stated that only the sound men went on strike; I desire to supplement this by stating that not only the sound men but all the unionized crafts at the Hollywood studios went on strike—Cameramen, laboratory technicians, cutters, editors, grips, property men and electricians, who work in the studios of the major companies. This puts a new complexion on the strike and makes it doubly necessary for exhibitors to be careful in signing a contract for the pictures of a major company.

There is no doubt in my mind that the Administrator of the National Recovery Act will use his influence to have the strike declared off; but the damage has already been done with the pictures under production—their sound will, no doubt, be atrocious, for it has been recorded, as said, by men of very little practical experience. The producers, in order to keep up their schedules, and at the same time break the strike, put to work any person who went to them and told them he was an expert in one of the crafts that had gone on strike.

The strike was not called for more money; it was called for more decent working and living conditions. I have been informed reliably that some of these men were worked as high as one hundred and five hours a week. By the time the week was half over the men were physically incapable of performing their duties.

If you want better conditions for yourselves you should be willing to fight for better conditions for others. Looking only after our own interests has brought the country to a point where we could not protect those interests. This is a social age, and the welfare of one person or of a group of persons can be brought about only with the cooperation of other persons or groups of persons.

### AN OPPORTUNITY

It has seldom fallen into the lap of any industry or single business group such an opportunity to win great popular favor with its public, as the privilege which the National Government has extended to the motion picture industry in connection with the use of the country's theatres for the furthering of publicity and information regarding the National Recovery Program.

Whatever may be the tenseness within the motion picture business created by the many divergent opinions concerning the drafting of the new code of business practices and ethics, all animosities have been completely annihilated by the enthusiastic response to General Hugh S. Johnson's mobilization of the screen for propaganda uses.

General Johnson was fortunate in his selection of Frank R. Wilson as the man to head his general organization program for national publicity on the Blue Eagle campaign.

Wilson, who made a great record for himself as National Publicity Director for the Treasury Department in the second, third and fourth Liberty Loan Drives, has refused to consider any of the internal political features in the motion picture industry, and has nominated a general committee of active experienced and publicity men, to help him in his job.

The Producers' Committee is headed by Harry N. Warner; the Distributors' Committee is headed by George E. Schaefer of Paramount, and the Exhibitors' Committee is composed of Nicholas M. Schenck, Ed. Kuykendall and James C. Ritter.

Lasting prestige was won by the motion picture interests of the country for its splendid work during the Liberty Loan campaigns. The organized industry under the pressure of war necessity appointed John C. Flinn as its representative at that time, to work out the detail of propaganda with the Government. Wilson very wisely has asked the Paramount Company to lend the Government Flinn's services in the NRA campaign.

Each exhibitor in the country will receive within the next week a letter appointing him to an active part in this important administration drive. Armed with such an appointment, every theatre owner in the country has the chance to weld his business activities even closer than heretofore with the substantial social and economic activities in his community. Short trailers will be distributed through the courtesy of the National Screen Service. Jules Brulator and the Deluxe Laboratory of New York have made special voluntary contributions to the cause.

Here is real opportunity every theatre owner should take advantage of.



## FORCING FOREIGN PICTURES UPON EXHIBITORS

Under the heading, "Why Foreigns?" Jay Emanuel has written the following editorial in the July 15 issue of the Philadelphia *The Exhibitor*, one of the three papers he owns:

"At a recent meeting of exhibitors, an issue arose that is of prime importance to theatre men everywhere.

"Why must American exhibitors be given foreign product of dubious quality to exhibit on their screens? In this category, such box-office possibilities as 'Variety' or perhaps 'Be Mine Tonight' should not be included. The exhibitor has no fault to find with a foreign production that lends itself to selling angles. Rather, he has a grievance against those companies which insist that the pictures be accepted as part of a contractual obligation even though the buying price is usually so low that it reflects what the company itself thinks of the product."

The act of the American producers of foisting foreign pictures upon the exhibitors is caused by various reasons: sometimes it is because of the quota law of the country from which the pictures hail; at other times it is because the American company has an interest in the foreign company which has produced the film.

A case in point as to the second group of cases is that of the Fox Film Corporation. Fox has an interest in Gaumont-British. Gaumont-British owns a large group of theatres in Great Britain. There is naturally a reciprocity between Gaumont-British and Fox. In order for Gaumont to show Fox pictures at profitable terms, Fox has to induct into its American product Gaumont pictures, regardless of their acceptability to American picture-goers.

In the 1933-34 group, Fox has included the following Gaumont-British pictures: "The Constant Nymph," "I Was a Spy," "Good Companions," and an untitled Harvey-Gaumont—four in all. "Good Companions" is a musical picture; the material in "The Constant Nymph" is too sexy and poor; "I Was a Spy" is pretty good espionage material; nothing is known of the Harvey-Gaumont.

For the information of those of British people who will read this editorial, let me assure them on the part of the exhibitors here that there is absolutely no prejudice against British pictures as such. "Be Mine Tonight" proves the point; it is making a hit in this country, regardless of the fact that some of the protagonists in the picture are Englishmen. What the American exhibitors object to is the fact that their pictures do not draw patrons to the box offices in this country for various reasons: first, the accent, which makes the talk unintelligible to most Americans, particularly to the children and young folk; secondly, the fact that the quality does not come up to the standard set by the best American pictures—the American exhibitors feel that there are already too many "lemons" produced in America for them to relish showing British "lemons"; and lastly, because they do not present anything original, for the British producers, instead of establishing a path of their own, have followed the path of the American producers, aping them in everything. Why, then, should any British producer take exception at the attitude of the American exhibitors towards their pictures? If they should adopt a policy of producing cheerful pictures, such as "Be Mine Tonight," for example, acted by youth, instead of by superannuated actors and actresses, even though capable players, and free from the kind of accent that could be cut with a knife, there is no reason why the British pictures should not find a ready market in the United States. Sex pictures, we have plentiful. We have, in fact, so many of them that the American public has become sick of them. For British producers, then, to expect the American exhibitors to book their sex pictures is just like asking Californians to buy oranges transported from Florida.

The American exhibitors would do well to insert in their contracts a provision giving them the right to reject foreign pictures that do not come up to their local requirements.

## THE MEETING CALLED BY THE CODE ADMINISTRATOR

In last week's issue you were informed that Mr. Sol A. Rosenblatt, Deputy Code Administrator, called a meeting of the leaders of all the industry groups who were framing codes of fair trade practices. They all met at the Bar Association Building Tuesday morning and were told by him that a Code must be framed by them for presentation to him by Monday, August 14. He appointed two co-ordinators, Mr. Sidney R. Kent, President of Fox Film Corporation, for the producers and distributors, and

Charles L. O'Reilly, for the exhibitors; he then announced a committee for the producers, one for the distributors, and one for the exhibitors, and urged them to have a code for the entire industry prepared by Monday, August 14, informing them that, in case they failed to do so, he would write a code for the industry himself. He expressed the hope, however, that the necessity for his having to write a code himself would not present itself, feeling sure that the industry has enough brains to undertake the work without government interference.

At the time of writing this editorial the committees are hard at work and it is the expectation of everyone that the three committees, working under the two co-ordinators, will complete their task even before Monday.

This is the first time in the history of the motion picture industry when the different factions had to lay aside their own pet schemes and work for the common good. The feeling is that the committees will frame a code that will prove beneficial, not to any particular group but to every group or individual connected with the motion picture industry.

HARRISON'S REPORTS feels confident that a great benefit will result to the motion picture industry out of the Code Administration's efforts to put the motion picture industry in order.

## ABOUT "MELODY CRUISE" AND "PILGRIMAGE"

Several exhibitors have asked me what are their rights in the RKO picture "Melody Cruise"; they feel that it is the same picture as "Whoopie Cruise" and are, therefore, entitled to it.

There is nothing in the contract to indicate that "Melody Cruise" is their picture; no facts are given by which it could be identified even though the production number given to "Melody Cruise" is the same as that which was given to "Whoopie Cruise."

Taking a good picture away from a contract holder has been one of the abuses practiced in the business from the very dawn of the multiple reel feature. One can study the performances of every major company for at least ten years and one will find that every company more or less took away from the contract holders pictures they were entitled to receive. During the picture season just ended, Warner Bros. took away from the exhibitors "Gold-Diggers of 1933"; Fox took away from them "Pilgrimage." It is one of those abuses the exhibitor has no protection against. It is difficult for one to have protection from persons bent upon resorting to unethical practices.

Those who have contracts with the title "Pilgrimage," by I. A. R. Wylie printed in it, are entitled to receive "Pilgrimage." Though it is not, as I have said, a roadshow picture, it is not a bad picture for small towns if it were to be shown at the regular prices. At advanced admission prices it will, I fear, prove a failure if we are to judge by the results at the Gaiety, this city, where it was shown on a two-a-day basis, at \$1.50 top: it proved such a failure that the Fox publicity department sent out thousands of free tickets to persons who did not ask for them. It is the old gag, resorted to by producers frequently in order to bolster up a box office failure.

## PENNSYLVANIA EXHIBITOR SUES WARNER BROS. ON "GOLD-DIGGERS"

*The Exhibitor*, an Emanuel publication, prints the following account in the August 1 issue:

"A bill in equity to compel Vitagraph, Inc., to deliver 'Gold-Diggers' to exhibitors as a part of the 1932-33 contract, has been filed in Court of Common Pleas, No. 3, by Stanley Foltz, of Sundheim, Foltz & Sundheim; George P. Aarons and Michael H. Engel, attorneys for M. P. T. O. of Eastern Pennsylvania. Southern New Jersey and Delaware. . . .

"The case is in the nature of a test for the exhibitors of this (the Philadelphia) territory. . . .

"Plaintiff alleges that 'Gold-Diggers' should be delivered as one of the specials sold under 'titles to be announced.'

"Bill asks that Vitagraph, Inc., be ordered to deliver 'Gold-Diggers.' Vitagraph has 15 days in which to file an answer.

"It is expected that final decision will be reached within a month."

This case will be watched with interest, I believe, by every theatre owner in the country. If the exhibitor should win the case I am sure that it will form a precedent which will help other exhibitors to put an end to this sort of abuse.



# HARRISON'S REPORTS

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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XV

SATURDAY, AUGUST 19, 1933

No. 33

### HAS THE DEMOCRATIC PARTY SOLD THE MOTION PICTURE INDUSTRY TO HARRY WARNER FOR \$50,000?

Harry Warner has been bragging about what he can do with the Washington Administration, conveying to the listeners of the great influence he exerts in matters that pertain to the motion picture industry.

What makes him feel that way is the fact that, according to some statements, he lent the Democratic Party \$50,000.

Has the Democratic Party sold the motion picture industry to Harry Warner for \$50,000?

If we are to take Harry Warner's statements at their face value, it has. We have felt right along that the program of the administration for the business recovery of this nation is sincere. There is, in fact, hardly a single person in the motion picture industry but believes in that sincerity, and is one hundred per cent with the President's efforts. It is disconcerting, therefore, to hear Harry Warner's braggings.

There are other people who worked for the Democratic Party for the election of the Democratic candidates. Perhaps each one of us did not contribute \$50,000, like Harry Warner, but we all collectively contributed many times that amount of money, in cash and in efforts. And we, too, feel that, like Harry Warner, we are entitled to some political favors. And the only political favor we want is that Harry Warner be gagged.

### YOUR LAST STAND

If you do not get from the Government the reforms for which you have been battling for years, you might just as well close shop, for your days as a theatre operator will be numbered.

Your representatives are doing all they can to obtain for every independent the right to live. But this alone is not sufficient; you should back them up with your moral support.

The best moral support you can give them is to write or telegraph to the Deputy Administrator of NRA your wishes.

The practices which your leaders are seeking to have the Code Administration declare unfair methods of competition are the following:

1. Denying the exhibitor the right to buy film against his competitors even though he is willing to pay as much or more for the same film.
2. Forcing an exhibitor to buy every picture a producer makes in order for him to get the type of pictures his public wants.
3. Forcing him to buy "paper" pictures, that is, pictures that are not described adequately, making

it possible for the producer to withhold good pictures claiming them to have been produced apart from the contract, and selling them to the contract holders over again, at higher rentals.

4. Overbuying by the affiliated theatres so as to create a shortage of product for their competitors, independent theatre owners, eventually forcing them out of business.

5. Forcing the exhibitor to pay for score.

Address your communication as follows:

Sol A. Rosenblatt  
Deputy Administrator of NRA  
Commerce Bldg.—Room 4225  
Washington, D. C.

Communicating with the Deputy Administrator and making your wishes known to him is more important than keeping your theatre open for that day. So drop everything and send your communication.

### FOX FILM ALSO HAS TWO STANDARDS

Like Warner Bros., the Fox Film Corporation has two standards in its business conduct: the one it applies to the affiliated theatres; the other to the independent.

When Kent took "Pilgrimage" away from the contract holders of 1932-33 season and put it on the group of his 1933-34 season, because he felt that it was a little better than the average picture, he did not include some affiliated theatres. For instance, the Stanley-Warner Theatre, at Camden, N. J., received it on its 1932-33 contract—the Stanley Circuit has not booked Fox pictures this season.

Yet Sidney Kent, in different speeches he made at exhibitor gatherings on different occasions, expressed great solicitude for the small exhibitor. Is taking a picture away from a small exhibitor his way of expressing his solicitude?

### THE PHILADELPHIA EXHIBITOR ORGANIZATION REPUDIATES M.P.T.O.A.

It took an important problem such as the Code to convince the exhibitor organization of Eastern Pennsylvania, Southern New Jersey, and Delaware that, when they were backing up Motion Picture Theatre Owners of America, they were backing up the wrong horse.

In a letter sent to the Co-ordinator for the exhibitor group, the Board of Managers of this organization, of which David Barrist is Chairman, repudiated any act of M.P.T.O.A. if the impression should be conveyed that has the endorsement of the Philadelphia Unit.



**"Three Cornered Moon" with Claudette Colbert, Mary Boland and Richard Arlen**  
(Paramount, 1933-34 Season (Aug. 4); run. time, 77 min.)

This belongs in the class of nonsensical comedies that amuse most audiences. It revolves around the doings of an irresponsible family, who have no practical ideas about how to run their lives, and who do not know the value of money. The characters are not of the type to arouse human interest or much sympathy, but they are entertaining because of their peculiarities. The situation in which Mary Boland, the mother of the family, tries to explain to her children how she lost the family fortune will arouse hearty laughter. Sympathy is felt for Claudette Colbert, the daughter, when she realizes that the family depends on her for support.

In the development of the plot the Rimplegar family, consisting of mother, daughter, and three sons, find that their spending days are over—the mother lost the family fortune by investing it in bonds and not understanding what margin meant. Claudette goes to work in a shoe factory but is forced to take her fiancé, a spineless author, into their home because he had no means of supporting himself. Richard Arlen, the family friend and doctor, comes to live with them hoping that his room rent will help them out. One of the sons who had been studying law takes the bar examination and passes it, to the great joy of the family who feel that it means twenty-five dollars a week more for the house. And then Claudette realizes her author is spineless and so gives him up and turns to Richard Arlen who had always been in love with her. She tries to tell her mother about her engagement to Arlen but her mother is so busy trying on a new hat that she hasn't the time to stop to consider what it means to Claudette.

The plot was adapted from the play by Gertrude Tonkonogy. It was directed by Elliott Nugent. In the cast are Wallace Ford, Tom Brown, Lyda Roberti, William Bakewell, Hardie Albright, Joan Marsh, Sam Hardy, and others.

Suitable for children, adolescents, and for Sundays.

**"Voltaire" with George Arliss**

(Warner Bros., August 5; running time, 72 min.)

This picture is so poor that many of you will not be able to show it. If you should show it, I fear that the losses you will sustain will be far greater than those you would sustain by paying for it and not showing it. The picture creaks with staginess; the acts of the characters are too theatrical. Even Mr. Arliss himself seems to be overacting. And there is nothing to the story—it is too far removed from our present-day experiences. There is some comedy here and there, provoked by Mr. Arliss, who takes the part of the famous philosopher, that brilliant intellect; but there isn't enough of it to save the picture. Margaret Lindsay, as the young woman whom George Arliss tries to save from the hands of those courtiers who were conspiring against her life, arouses some sympathy; and so does Mr. Arliss; but it is only mild:—

The action revolves around the court of King Louis XV, a weakling who was ruled on the one hand by his mistress, Mme. Pompadour, and on the other by the traitorous Count de Sarnac. Voltaire, the poet and philosopher, who hated the Count because of his tyrannical treatment of the people of France, aroused the people by issuing unsigned pamphlets urging them to revolt. But due to his friendship with Mme. Pompadour Voltaire was in the good graces of the King who admired him for his wit. Voltaire, in an effort to bring to the King's attention the pitiful state of a young girl whose father had been killed because the Count wanted his estates, puts on a play. The Count stirs up the King by telling him the play holds him up to ridicule and Voltaire is ordered to be put in the Bastille. He pleads to be permitted to take his family home and saves himself by proving the Count had been selling state secrets to Frederick of Prussia. The Count is arrested and Voltaire, with the aid of Mme. Pompadour, is once more in the good graces of the King. He wins back the estates for the young girl he had taken an interest in. But his one regret is that he cannot make the King understand the seriousness of the people's restlessness.

The plot was adapted from the story by George Gibbs and E. Lawrence Dudley. It was directed by John Adolfi. In the cast are Doris Kenyon, Margaret Lindsay, Theodore Newton, Reginald Owen, Alan Mowbray, Gordon

Westcott, David Torrence, Doris Lloyd, and others.

The affair between the King and his mistress is handled with dignity; therefore, it should be suitable for children, adolescents, and for Sundays. But you will have to use your own judgment.

**"Sing Sinner Sing" with Paul Lukas and Leila Hyams**

(Majestic Pictures; running time, 67 min.)

Just a moderately entertaining program fare. With the exception of the heroine, none of the characters arouse any sympathy. One young man is shown drinking himself to death, and the hero, while professing to love the heroine, makes love to other women. The heroine arouses some sympathy in her efforts to make a man of her husband, but this is not enough to make up for the defects of the story; for instance, in the closing scenes, the hero is shown going to the electric chair for a murder he had not committed. He "confessed" to the murder in a gallant effort to save the heroine from disgrace. This is going a bit too far:—

The heroine is in love with the hero and works in his night club as a singer. But when she finds out that he is having affairs with other women she leaves him and marries a young wealthy boy who had been frequenting the night clubs. She hoped that by marriage she could cure him of his drunkenness but he goes from bad to worse. One night, at a particularly drunken orgy at their home, she insists that he go to bed. He goes upstairs and later kills himself. The heroine is arrested and found guilty of the murder. But the hero, realizing that he loved her, makes a wild confession of his having been there and having murdered the husband out of revenge for having taken the heroine from him. In order for him to make his story authentic he attempts to shoot the heroine, his motive being to impress the jury with his guilt. He is sentenced to die by the electric chair and the heroine goes back to her night club work.

The plot was adapted from a story by Edw. T. Lowe. It was directed by Howard Christy. In the cast are Donald Dillaway, Ruth Donnelly, Geo. E. Stone, and others.

Not suitable for children, adolescents, or for Sundays.

**"The Faithful Heart" with Herbert Marshall and Edna Best**

(Phil E. Meyer; running time, 51 min.)

This is an English made production and, with the exception of Herbert Marshall, the cast is unknown to American audiences. It is a fairly entertaining human interest story, but the enjoyment of it is spoiled by poor editing and poor sound. It moves rather slowly during the first half, but the second half holds the interest because of the sympathy one feels for the young girl who loved her father, but who felt she was in his way. The hero is not a particularly sympathetic character because he deserts the heroine, but respect is felt for him in the closing scenes when he is willing to sacrifice his own life to make up to his daughter for the neglect of her mother. In order to remove the objection of American picture-goers to the Cockney accent, the original sound track has been removed and talk of American actors has been inserted, with fair success:—

The hero, a sailor, has a love affair with the heroine who works as barmaid in her aunt's tavern. His ship is to sail for South Africa but he promises to return. He never does and twenty years later finds him engaged to the daughter of a wealthy Englishman. Just as he is making plans for his marriage to the daughter he receives a visit from a young girl who had a letter from his former sweetheart. The girl is none other than his own daughter and she looks so much like her mother that all the old memories are revived. The hero becomes attached to his daughter, but his fiancée feels the girl will be in the way. She plans to send her off to Canada to live with some relations, and the girl is heartbroken for she loves her father. The hero prevents her from leaving and when his fiancée tells him he must choose between his daughter and herself he chooses his daughter.

The plot was adapted from the play by Monckton Hoffe. It was directed by Victor Saville. In the cast are Mignon O'Doherty, Lawrence Hanray, Anne Grey, and Athole Stewart.

Not suitable for children, adolescents, or for Sundays.



### **"Tarzan the Fearless" with Buster Crabbe** (Principal Pictures; running time, 59 min.)

This is another version of the Edgar Rice Burroughs Tarzan stories, and will do for juvenile trade; it might prove tiresome to adult audiences who have seen the Metro-Goldwyn-Mayer version made last year. There is fair suspense throughout due to the danger to the lives of both the heroine and her father, a scientist. One particularly thrilling moment is where Buster Crabbe jumps from a high cliff to the water below and swims as fast as he possibly can to the rescue of the heroine who was in danger of being attacked by crocodiles. Crabbe battles with the crocodile with bare hands and vanquishes it. During another situation he is shown fighting a lion, which had attempted to kill the heroine and her friend.

The ending is very abrupt. This is due to the fact that the Roxy Theatre, where this picture was shown, intends to show the balance of the picture in serial form, advertising such intention.

Comedy situations arise when Crabbe shows surprise and fear at the music that comes from a phonograph, and when he tries to make himself understood.

Children will love the way in which Crabbe swings from tree to tree, using that as his means of transportation.

The story concerns Tarzan, a young man who had lived his life in the jungles and could speak only the language of the animals. He meets the heroine who was in that country with her father, a scientist, who had come there to study the life of ancient tribes. Their lives are in danger because of hostile tribes but with the help of Tarzan they are saved each time. He comes to the rescue of the heroine on several occasions by fighting lions and crocodiles, scaring off the tribesmen, and even outwitting the men who tried to harm her. At the end she feels a romantic interest in him.

It was directed by Robert Hill. In the cast are Jacqueline Wells, E. Alyn Warren, Edward Woods, Philo McCullough, Mathew Betz, Frank Lackteen, and others.

Good for children, adolescents, and for Sundays.

### **"The Man From Monterey" with John Wayne**

(Warner Bros., July 15; running time, 57 min.)

A fast-moving melodrama, of the old Spanish settlement days in California. It has suspense, fast riding, action, and comedy. The closing scenes in which the hero rescues the heroine from a forced marriage and saves her father's lands are exciting, particularly in the last few minutes when the villain and his gang surround the hero. The settings are good, and the romance between the hero and the heroine is pleasant. The laughs are brought about by the hero's pal who becomes easily excited:—

The hero, an officer in the American army, is sent to California to convince the Spanish land owners that to protect their own interests they must register the land they own. He is told to go to the heroine's father first. But the father was being convinced by his neighbor (villain) that the government was trying to rob him and not to register his land. His purpose was to register it in his own name as soon as registration was made a law. The villain's son had been endeavoring to marry the heroine but she did not love him. The hero saves the heroine from a bandit attack and she falls in love with him. Eventually he proves to the heroine's father that he was being tricked by the villain and saves the heroine from a forced marriage with the villain's son.

The plot was adapted from a story by Lesley Mason. It was directed by Mack V. Wright. In the cast are Ruth Hall, Luis Alberni, Francis Ford, Nina Quartero, and others.

Suitable for children, adolescents, and for Sundays.

### **"Tugboat Annie" with Marie Dressler and Wallace Beery**

(MGM, Aug. 4; running time, 86 min.)

The combination of Marie Dressler and Wallace Beery is almost enough to assure one of entertainment, even with a mediocre story. The story of "Tugboat Annie," however, is good, and both players are excellent; they provide the audience with many laughs and tears. It is a human interest story, the kind that should please all types of audiences; it holds one's interest throughout. One situation that caused loud laughter was the one in which Beery drops a piece of

soap in the cabbage that Dressler was cooking and is too scared to tell her about it. But she finds out soon enough when she serves the cabbage and tastes it. There are many funny situations caused by Beery's nitwit and clumsy manners. One feels sympathy for Marie when she parts from her son rather than give up her shiftless husband whose one fault is that he drinks too much. The closing scenes are tensely exciting; it shows Marie and Beery going out in their old tugboat to save their son's ship:—

Marie runs a tugboat and is known all along the waterfront. She receives little help from her husband, who is amiable but cannot resist drink. She sends her son through school and her heart overflows with pride when he is made a Captain of a ship, the youngest man to receive such an honor. He is in love with Maureen O'Sullivan, the daughter of the ship owner, and she loves him, too. He has hopes of doing things for his mother, such as putting her in a comfortable apartment, but she loves her boat and her life too much. Disgusted at his father's continued drunkenness he insists that his mother leave Beery but when she refuses he tells her that she will never see him again. Beery rams the tugboat in a chase for a case of liquor and the boat is sold at auction, to be used as a garbage hauler. Marie is made the Captain and since she needs the job she swallows her pride. One stormy night, while out at sea dumping garbage, she notices distress signals from her son's ship. By working furiously and endangering their lives, Beery even going into the boiler to fix a leak, they get to the ship in time. Beery is decorated, the tugboat is fixed up and given back to Marie, and there is a happy reunion in the family.

The plot was adapted from the story by Norman Reilly Raine. It was directed by Mervyn LeRoy. In the cast are Robert Young, Willard Robertson, Tammany Young, Frankie Darro, Paul Hurst and Jack Pennick.

Excellent for children, adolescents, and for Sundays.

### **"Lady For a Day" with May Robson and Warren William**

(Columbia, 1933-34 Season; running time, 97 min.)

Excellent. It is perfect entertainment for the masses from every angle, in spite of the fact that the story is fantastic. It has human interest, excellent comedy situations, and pathos. There is one situation that will tear at the heartstrings; it is where May Robson sits in her dingy room, drunk, playing symphonic music on the victrola, writing to her daughter and telling her about her beautiful life which is wholly imaginary. May Robson gives an unusually good and restrained performance, never overacting or spoiling situations with too much sentiment. The gangster element is put in a ludicrous light and is not offensive.

The story revolves around May Robson, known on Broadway as "Apple Annie." She drinks too much and never listens to the advice of Warren William, a racketeer and gambler, who is superstitious and will not place a bet or sit in a game unless he first buys an apple from May Robson. She has a daughter who is being reared in Spain. Wanting the girl to think that she is a fine woman she writes to her on stationery that she takes from the most fashionable hotel and tells about the wonderful society life she is leading. The daughter becomes engaged to the son of a Count who wants to meet May Robson. Fearful that she might ruin her daughter's life she appeals to Warren William for help. He puts her up at a fashionable hotel, supplies her with expensive clothes and servants, makes a lady of her, even supplying her with an aristocratic looking husband, who in reality is a billiard shark. The fun begins when the daughter arrives with her fiancé and his father. Guy Kibbee the "step-father" wants to impress them properly and so prepares for a ball. William is furious and is forced to coach his own henchmen and their girls how to behave like ladies. But due to a chain of events he is really able to bring high society and government officials to the ball, making an excellent impression on the Count. Although heartbroken at parting with her child again, May Robson is happy that she was able to impress the boy's father, and glad that her child will be happy.

The plot was adapted from the story by Damon Runyon. It was directed by Frank Capra. In the cast are Glenda Farrell, Jean Parker, Ned Sparks, Walter Connolly, Nat Pendleton, and others.

Suitable for children, adolescents, and for Sundays, except for exhibitors who cannot show pictures with any trace of gangsterism in them.



## PICTURES NOT FINISHED OR HALF-FINISHED WHEN THE STRIKE AT STUDIOS WAS DECLARED

In the last two issues I warned you about the poor sound recorded by the strike breakers at the Hollywood studios. I am now in a position to give you the titles of the pictures which were either half-finished or just begun when the strike was declared.

Lest the titles be changed by the time these pictures are released, I am giving you the names of the stars so that you may be able to identify them.

### Columbia

"My Woman," with Helen Twelvetrees and Wallace Ford; "Above the Clouds," with Robert Montgomery and Dorothy Wilson; "The Entertainer," with Will Mahoney; "Man's Castle," with Spencer Tracy and Loretta Young.

"Brief Moment" is now being cut and "dubbed" (dubbing means inserting either talk or sound effects after the scenes had been photographed).

### Fox

"My Weakness," with Lilian Harvey; "Charlie Chan's Last Chance," with Warner Oland; "The Worst Woman in Paris," with Adolphe Menjou.

The following pictures were finished before the strike but they are now being cut and dubbed: "Doctor Bull," "Shanghai Madness," "Power and the Glory," "Paddy the Next Best Thing."

### MGM

"Tarzan"; "Dancing Lady," with Joan Crawford; "Beauty Parlor," with Madge Evans; "Penthouse"; "The Late Christopher Bean," with Marie Dressler and Lionel Barrymore.

### Paramount

"Way to Love," with Maurice Chevalier; "I'm No Angel," with Mae West; "Duck Soup," with the four Marx brothers; "Too Much Harmony," with Bing Crosby and Jack Oakie; "Design For Living," with Fredric March and Miriam Hopkins; "The Torch Singer," with Claudette Colbert and Ricardo Cortez; "To the Last Man," with Randolph Scott; "The Golden Harvest," with Richard Arlen and Genevieve Tobin; "One Sunday Afternoon," with Gary Cooper.

### Universal

"The Invisible Man," with Stuart-Raines; "Saturday's Millions," with Roland Young and Leila Hyams; and "Only Yesterday," with John Boles."

"Love Honor and Obey," with Slim Summerville and Zasu Pitts, is being cut and dubbed.

### RKO

"Ann Vickers" and "Little Women."

"Flaming Gold," with William Boyd, will have to be done over again. "Ace of Aces," with Richard Dix, and "One Man Journey," with Lionel Barrymore, are being cut and dubbed.

### Twentieth Century (United Artists)

"The Bowery," with Wallace Beery.

The matter of sound is a serious one, for poor sound may cost you combined millions of dollars in lost patronage.

When you sign a contract insert a provision reserving the right to refuse a picture the sound of which has proved to be poor.

## INTERPRETATION OF THE NEW CONTRACTS

It has been customary for me each beginning of a season to give an interpretation of the most important provisions of each company's contract; and I would have begun such an interpretation of this season's contracts this week were it not for the fact that the adoption of the industry Code will make such an interpretation obsolete.

The Code will alter radically the method of our doing business. For instance, if the right of the theatre owner to bid and obtain pictures against any competitor, affiliated or unaffiliated, is established, the contract forms now in use will have to be thrown into the waste paper basket. The determination of the block-booking question, too, will have the tendency of making the present contracts obsolete, as will the question of score charges and of other matters, the settlement of which are sought for by the independent producer-distributors as well as by the independent exhibitors.

The committees are still meeting in an effort to come together. But the view-points of the two groups—major producer-distributors and affiliated theatres on the one hand, and independent theatre owners and independent producer-distributors on the other, are so divergent, that there is no prospect of an agreement. The result of it will be that the Code will be left to the Washington Administration to frame. The groups of the majors have nothing to gain by ceding some points to the independent groups and, true to their policy, are ceding nothing important; on the other hand, the minor groups feel that it is hopeless for them to try to make the major groups see their point of view, even though such view tends to do what NRA set out to accomplish—increase employment and wages by shortening hours; therefore, they are willing to trust their interests to the Government.

This week will tell the tale. In the meantime, I suggest that you be patient. Your leaders are fighting every inch of their way and hope that, if they do not get any consideration from the major groups, they will get it from the Government. All I can say is that the purpose which prompted me to organize the independent producer-distributors is being served one hundred per cent, for the independent producer-distributors and the independent exhibitors are working hand in hand. There is no point that separates them.

Watch and pray. The fate of your business is now being decided; but the odds are in your favor.

## SUPPORT THE ADMINISTRATION'S PUBLICITY PROPAGANDA

Frank R. Wilson, Chief of the Organization Division of NRA, has invited the writer to serve on the General Committee for the dissemination of accurate information to the public through the medium of the screen. He has accepted.

The Committee will work under the co-ordinating efforts of Mr. John C. Flinn, of Paramount.

Let us hope that every exhibitor will lend his efforts to the success of this campaign; it means a great deal to the industry, particularly to the exhibition branch.



## HARRISON'S REPORTS

Vol. XV

NEW YORK, N. Y., SATURDAY, AUGUST 19, 1933

No. 33

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Hold Your Man—MGM (84½ min.).....	107	
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Narrow Corner—Warner Bros. (67½ min.).....	115	
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Obey the Law—Columbia (68 min.).....	30	
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## RELEASE SCHEDULES FOR FEATURES

## Columbia Features

(729 Seventh Ave., New York, N. Y.)

3817 California Trail—Buck Jones.....	Mar. 24
3101 Soldiers of the Storm—Toomey-Page.....	Apr. 4
3917 Whirlwind—Tim McCoy (59 min.).....	Apr. 14
3105 Night of Terror—Lugosi-Blane (66½ min.)...	Apr. 24
3005 Below The Sea—Bellamy-Wray .....	Apr. 25
3011 The Woman I Stole—Holt-Wray.....	May 1
3818 Unknown Valley—Buck Jones (70 min.)....	May 5
3918 Rusty Rides Alone—Tim McCoy (58½ min.)...	May 26
3012 Ann Carver's Profession (Rules for Wives)—	
Wray .....	May 26
3021 Cocktail Hour (Pearls and Emeralds)—	
Daniels-Scott .....	June 5
3102 Dangerous Crossroads—Sale-Albertson .....	June 15
3019 What Price Innocence?—Gombell-Mack.....	July 1
3022 The Wrecker—Holt-Tobin .....	July 10
3020 Brief Moment—Carole Lombard.....	Aug. 19

## First National Features

(321 W. 44th St., New York, N. Y.)

725 Grand Slam—Lukas-Young-McHugh (67m).....	Mar. 18
712 The Mind Reader—William-Cummings .....	Apr. 1
714 Central Airport—Barthelmess-Eilers .....	Apr. 15
728 Elmer the Great—Joe E. Brown.....	Apr. 22
709 Lilly Turner—Chatterton-Brent .....	May 13
718 The Little Giant—Robinson-Astor .....	May 20
715 Heroes For Sale (Broadline)—Barthelmess.....	June 17
726 She Had to Say Yes—Young-Talbot.....	July 15
723 Goodbye Again—Blondell-Williams (re).....	Sept. 9



## Fox Features

(444 W. 56th St., New York, N. Y.)

- No release set for..... June 9  
- 1 I Loved You Wednesday (Precious)—Landi.. June 16  
- 40 Best of Enemies (5c a Glass) (Untitled Lowe)—  
Nixon-Rogers-Morgan ..... June 23  
- 23 Arizona to Broadway (Apartment House Love) June 23  
- 27 Life in the Raw (Arizona Wildcat)..... July 7  
- 33 The Man Who Dared (Bought on Time)—  
Johann-Foster ..... July 14  
- 4 The Devil's in Love—Young-Jory-Manners... July 21  
- 29 F.P.1 (Red Dancer)—Veidt-Esmond-Fenton.. July 28  
No release set for..... Aug. 4  
- 22 Shanghai Madness—Tracy-Trevor (reset)... Aug. 11

(End of 1932-33 Season)

## Beginning of 1933-34 Season

- 401 Paddy, the Next Best Thing—Gaynor-Baxter. Aug. 18  
402 The Last Trail—O'Brien-Trevor-Brendel.... Aug. 25  
403 Pilgrimage—Crosman-Angel-Nixon-Foster .. Sept. 1  
404 The Good Companions—Jesse Matthews..... Sept. 8  
405 Charlie Chan's Greatest Case—Oland..... Sept. 15  
406 Dr. Bull—Will Rogers-Louise Dresser..... Sept. 22  
407 My Weakness—Harvey-Ayres-Langdon..... Sept. 29  
408 The Power and the Glory—Tracy-Moore..... Oct. 6

## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 314 Peg o' My Heart—Davies-Stevens..... May 26  
- 341 The Nuisance (Never Give a Sucker a Break)—  
Tracy-Evans ..... June 2  
- 342 Hell Below—Montgomery-Evans-Huston ... June 9  
- 302 Reunion in Vienna—John Barrymore..... June 16  
- 310 When Ladies Meet—Harding-Montgomery... June 23  
- 311 (344) Midnight Mary—Young-Cortez-Tone.. June 30  
- 320 Hold Your Man—Harlow-Gable ..... July 7  
- 343 Storm at Daybreak (Strange Rhapsody)—  
Francis-Huston-Asther ..... July 14  
- 303 The Stranger's Return—Barrymore..... July 21  
- 325 Another Language—Hayes-Montgomery ... July 28  
- 316 Tugboat Annie—Dressler-Beery ..... Aug. 4  
No Release Set for..... Aug. 11  
No Release Set for..... Aug. 18  
- 345 Turn Back the Clock—Tracy-Clarke..... Aug. 25  
- 346 Beauty for Sale—Evans-Brady-Kruger..... Sept. 1

(More to come)

## Beginning of 1933-34 Season

- 435 Night Flight—John and Lionel Barrymore—  
Hayes-Gable-Montgomery ..... Sept. 1  
404 Penthouse—Baxter-Loy-Butterworth ..... Sept. 8

## Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- The Sphinx—Lionel Atwill ..... July 1  
The Fugitive—Rex Bell..... Aug. 1  
Rainbow Ranch—Rex Bell..... Aug. 8  
Skyway—Walker-Shannon ..... Aug. 10  
Devil's Mate—Preston Foster..... Aug. 20  
Galloping Romeo—Bob Steele..... Aug. 25  
Ranger's Code—Bob Steele..... Sept. 5

(More to come)

## Beginning of 1933-34 Season

- 2011 The Avenger—Forbes-Ames ..... July 30  
2031 Sensation Hunters—Foster-Judge ..... Sept. 10

## Paramount Features

(Paramount Bldg., New York, N. Y.)

- 3252 Jennie Gerhardt—Sidney-Cook-Astor ..... June 16  
3254 College Humor—Oakie-Arlen ..... June 23  
3253 Gambling Ship—Grant-Hume ..... June 30  
3256 Disgraced—Twelvvetrees-Cabot ..... July 7  
3255 Man of the Forest—Randolph Scott (re) .... July 14  
3258 Her Bodyguard—Lowe-Gibson-Dinehart .... July 21  
3257 Mama Loves Papa—Ruggles-Boland (re)... July 28  
3259 Midnight Club—Raft-Vinson-Skipworth .... July 28

(End of 1932-33 Season)

## Beginning of 1933-34 Season

- 3301 Three Cornered Moon—Colbert-Bolan ..... Aug. 4  
3302 Song of Songs—Dietrich-Atwill ..... Aug. 11  
3303 The Big Executive—Cortez-Pennett ..... Aug. 18  
3304 This Dage and Age—Bickford-Cromwell.... Aug. 25

## RKO Features

(Radio City, New York, N. Y.)

- 31120 The Big Brain (Special Investigator)—  
Stone-Wray-Holmes ..... June 16  
31112 Melody Cruise (Whoopie Cruise)—Ruggles-  
Harris ..... June 23  
31127 Cross Fires—Keene-Furness ..... June 30  
31159 Flying Devils (Sweet and Kennedy comedy)  
Bellamy-Cabot-Judge ..... June 30  
- 31107 Bed of Roses—Bennett-McCrea ..... July 14  
- 31145 Double Harness—Harding-Powell ..... July 21  
- 31134 Headline Shooter (Joel McCrea prod.)—Gargan-  
Dee ..... July 28  
- 31132 Before Dawn (Treasure Picture)—Erwin-Oland-  
Wilson ..... Aug. 4  
- 31140 No Marriage Ties—R. Dix (reset)..... Aug. 11  
- 31153 Flaming Gold (Bill Boyd No. 4) ..... Aug. 25  
- 31115 Blind Adventure (Miracle Night)—Armstrong-  
Morgan ..... Sept. 1

(More to come)

## Beginning of 1933-34 Season

- 4109 Morning Glory—Hepburn-Fairbanks, Jr. ... Aug. 18  
4129 Rafters Romance—Rogers-Foster ..... Sept. 8

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

- I Cover the Waterfront—Colbert-Lyon (72m.).... May 17  
Samarang ..... June 15

(End of 1932-33 Season)

## Beginning of 1933-34 Season

- The Masquerader—Ronald Colman-Elissa Landi.. Sept. 1  
Emperor Jones—Paul Robeson..... Sept. 8  
Bitter Sweet—All English Cast..... Sept. 22  
The Bowery—Beery-Raft-Cooper-Wray..... Sept. 29  
Broadway Through a Keyhole—Constance Cummings-  
Stuart Erwin ..... Oct. 13

## Universal Features

(730 Fifth Ave., New York, N. Y.)

- A5031 Be Mine Tonight—foreign cast..... Mar. 23  
A5016 Out All Night—Summerville-Pitts..... Apr. 13  
A5034 The Fighting President—spec. (49 min.)... Apr. 14  
A5024 Lucky Dog (Youth Aflame)—Sales..... Apr. 20  
A5005 Kiss Before the Mirror (Glamour)..... May 4  
A2001 King of Jazz—(reissue) (61½ min.)..... June 1  
A5081 King of the Arena—Ken Maynard (61 m.).. June 1  
A5032 The Rebel—Vilma Banky (72 min.)..... June 15  
- A5026 Don't Bet on Love (Men without Fear)—  
Ayres-Rogers ..... July 13  
- A5018 Secret of the Blue Room (Suicide Club)—  
Atwill-Lukas-Stuart ..... July 20  
- A5082 Fiddlin' Buckaroo—Maynard (62 min.).... July 20  
- A5014 Moonlight and Pretzels (The Flight  
Commander)—Mary Brian (reset)..... Aug. 3  
- A5012 Her First Mate (Zeppelin)—Summerville-  
Pitts (reset) ..... Aug. 10  
A5083 The Trail Drive—Ken Maynard..... Sept. 4  
- A5025 Ladies Must Love (Black Pearls)—  
Knight-Carlisle..... Rel. date not set  
- A5001 Invisible Man—Rains-Stuart..... Rel. date not set

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 422 The Keyhole—Francis-Brent-Farrell ..... Mar. 25  
438 Untamed Africa—Adventure spec. (56m.).... Apr. 8  
409 Ex-Lady (Barbara Stanwyck)—Davis-Dodd-  
McHugh-Raymond ..... Apr. 8  
425 Picture Snatcher—Cagney-Bellamy ..... Apr. 29  
411 The Working Man (The Adopted Father)... May-6  
435 Somewhere in Sonora—Wayne-Palmer ..... May 20  
419 The Life of Jimmy Dolan—Fairbanks, Jr. ... June 3  
416 The Silk Express (Ann Dvorak)—Hamilton.. June 10  
423 Private Detective 62—Powell-Lindsay ..... June 10  
426 The Mayor of Hell—Cagney-Evans ..... June 24  
407 Baby Face—Stanwyck-Brent-Cook ..... July 1  
420 Narrow Corner—Fairbanks, Jr.-Ellis ..... July 8  
436 The Man from Monterey—Wayne-Hall ..... July 15  
428 Mary Stevens, M.D.—Francis-Talbot ..... July 29  
406 Voltaire—Arliiss-Kenyon (72 min.) ..... Aug. 5  
405 Captured—Howard-Fairbanks, Jr.-Lukas .... Aug. 19

## Beginning of 1933-34 Season

- 450 Gold Diggers of 1933—Blondell-William (re.) Sept. 9



## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

- 13 Antique Antics—K. Kat (cart.) (6 min.) ..... June 14  
 6 In the Good Old Winter Time—World of Sports  
 (11 min.) ..... June 17  
 7 Hook and Line—World of Sports (10 min.) ... July 28  
 13 Snapshots (Hollywood Topics) (10 min.) .... Aug. 1  
 8 Flying Gloves—World of Sports (9½ min.) ... Aug. 15  
 (End of 1932-33 Season)

### Columbia—Two Reels

- 6 The Poor Fish—Lambs Gambol (19½ min.) ... Apr. 27  
 7 Fifty Million Dollars Can't Be Wrong—  
 Lambs Gambol ..... May 10  
 9 Say It Isn't So—Sunrise com. (19½ min.) .... June 29  
 8 Love in Tents—Lambs Gambol ..... Aug. 14  
 10 Brother Can You Spare a Million—Lambs Gambol  
 No date set  
 11 The Entertainer—Lambs Gambol ..... No date set  
 (End of 1932-33 Season)

### Educational—One Reel

- 321304 Two Hundred Fathoms Deep—Camera  
 Adventures (9 min.) ..... Mar. 19  
 320916 Who Killed Cock Robin—T. Toon (6 m.) Mar. 19  
 320917 Oh! Susanna—Terry-Toon (6 min.) ..... Apr. 2  
 321205 Highlights of the Past—Do You Rem. .... Apr. 9  
 320918 Romeo and Juliet—T. Toon (6 min.) ..... Apr. 16  
 321004 The Kid's Last Fight—Baby Burl. (11m) .. Apr. 23  
 320919 Pirate Ship—Terry-Toon (6 min.) ..... Apr. 30  
 321805 Broadway Gossip No. 5 (10½ min.) ..... Apr. 30  
 321104 The Sea—Battle for Life (9 min.) ..... May 7  
 321507 Pirates of the Deep—Bray's Nat. (9 min.) May 7  
 321105 Kid 'n' Hollywood—Baby Burl. (11 min.) May 14  
 320920 Tropical Fish—T. Toon (6 min.) ..... May 14  
 321305 The Cougar's Mistake—Camera Adventures  
 (9 min.) ..... May 28  
 321607 McGill—Spirit of the Campus (9 min.) ... May 28  
 (Distributed by Fox, 444 W. 56th St., New York, N. Y.)  
 321410 Out of the Ordinary—Hodge Podge (9½m) May 28  
 320921 Cinderella—T. Toon (cart.) (6 min.) .... May 28  
 321508 Giants of the North—Bray's Nature (7 m) June 4  
 321411 Sawdust Sidelights—Hodge Podge (10 m) June 4  
 321705 Honesty Pays—But Not Much—Tom Howard  
 comedy (10½ min.) ..... June 4  
 321006 Polly Tix in Washington—Baby Burlesk (10½  
 min.) ..... June 4  
 320922 King Zilch—T. Toon (cart.) (6 min.) .... June 11  
 321806 Broadway Gossip No. 6 (7½ min.) ..... June 18  
 321509 Wild Life at Home—Bray's Nature ..... June 18  
 320923 The Banker's Daughter—T. Toon (6 min.) June 25  
 321105 Beneath Our Feet—Battle for Life (9 min.) June 25  
 321206 An Old Fashioned Newsreel—Do You Remem-  
 ber? (7½ min.) ..... July 2  
 320924 The Oil Can Mystery—T. Toon (6 min.) .. July 9  
 321701 Aces Wild—Tom Howard com. (9½ min.) July 9  
 321412 Any Way to Get There—H. Podge (8½ m) July 16  
 320925 Fannie in the Lion's Den—T. Toon (6 min.) July 23  
 321413 Capers in Clay—H. Podge (8½ min.) ..... July 30  
 320926 Hypnotic Eyes—T. Toon (5½ min.) ..... Aug. 6  
 (End of 1932-33 Season)

### Educational—Two Reels

- 320201 As The Crows Fly—Moran-Mack (19m) Feb. 5  
 320304 The Hitch Hiker—Langdon com. (21 m.) Feb. 12  
 320202 Two Black Crows in Africa—Moran-Mack  
 (20 min.) ..... Mar. 5  
 320404 Techno-Crazy—Vanity com. (19 min.) .... Mar. 12  
 320504 Torchy Turns Turtle—Torchy com. (21m) Apr. 23  
 322001 Krakatoa—Special three reels (26 min.) Apr. 23  
 320106 Feeling Rosy—Andy Clyde com. (21 min.) Apr. 30  
 320305 Knight Duty—Mermaid com. (22 min.) May 7  
 320204 A Pair of Socks—Moran-Mack (20 min.) May 14  
 320107 Loose Relations—Clyde com. (20 min.) June 11  
 320203 Hot Hoofs—Moran-Mack (18 min.) ..... June 18  
 320505 Torchy's Loud Spooker—Torchy c. (20 m) June 25  
 320306 Tied for Life—Mermaid com. (18½ min.) July 2  
 320109 The Big Squeal—Clyde com. (17½ min.) July 9  
 320506 Trying Out Torchy—Torchy c. (18 min.) July 23  
 (320108 "Dora's Dunking Doughnuts," 320205 "Blue Black-  
 birds," and 320307 "Hooks and Jabs," listed in the last In-  
 dex belong to the 1933-34 Season, and are now listed under  
 the Fox shorts as such.)  
 (End of 1932-33 Season)

## Fox—One Reel

(444 W. 56th St., New York, N. Y.)

- 30 Down from Vesuvius—(9 min.) ..... Apr. 16  
 (End of 1932-33 Season)  
 (The titles that carry an "E" after the production number  
 are Educational releases and are released only in the United  
 States by Fox.)

### Beginning of 1933-34 Season

- 3401 Pagodas of Peiping—Magic Carpet (8½ m) Aug. 18  
 0401 Where Is My Wandering Boy—Tintype (8½  
 min.) ..... Aug. 18  
 3402 Shades of Cairo—Magic Carpet (9½ min.) Aug. 25  
 1101E Not Yet Titled—As a Dog Thinks Ser. .... Aug. 25  
 0501E Grand Uproar—Terrytoon ..... Aug. 25  
 1301 Following the Horses—Adv. of a News Camera  
 Man (9½ min.) ..... Sept. 1  
 3403 On Desert Patrol—Magic Carpet (9 min.) Sept. 1  
 1001E Not Yet Titled—Battle for Life ..... Sept. 1  
 0402 For the Man She Loved—Tintype (8 min.) Sept. 8  
 0502E Not Yet Titled—Terrytoon ..... Sept. 8  
 0601E Not Yet Titled—Treasure Chest series .... Sept. 8  
 3404 Outposts of France—Magic Carpet (9 m) Sept. 15

### Fox—Two Reels

- 0201E Blue Blackbirds—Moran-Mack (20 min.) Aug. 18  
 0301E Hooks and Jabs—Langdon com. (20 min.) Aug. 25  
 0202E Dora's Dunking Doughnuts—Clyde (19½m) Sept. 1  
 0203E Not Yet Titled—Tom Howard comedy .... Sept. 8  
 0204E Farmer's Fatal Folly—Moran-Mack ..... Sept. 15

### Metro-Goldwyn-Mayer—One Reel

- F-728 Techno-Cracked—Flip cart. (8 min.) .... Apr. 29  
 -T-711 New Zealand, a White Man's Paradise—Fitz-  
 patrick Traveltalks (9 min.) ..... Apr. 29  
 -T-712 Fiji and Samoa—Fitz. Travel. (8 min.) ... May 20  
 -F-729 Bulloney—Flig the Frog (cart.) (8 min.) May 27  
 -T-713 Papua and Kalabahal—Fitz. Travel. (9 m) June 10  
 -F-730 A Chinaman's Chance—Flip (cart.) (8 m) June 24  
 -F-731 Pale Face—Flip (cartoon) ..... Aug. 12  
 F-732 Not Yet Titled—Flip (cart.) ..... Rel. date not set  
 (End of 1932-33 Season)

### Metro-Goldwyn-Mayer—Two Reels

- C-638 One Track Minds—Pitts-Todd (19 min.) May 20  
 -C-628 Mush and Milk—Our Gang com. (18 min.) May 27  
 -R-664 Nertsery Rhymes—Revue (20 min.) ..... June 1  
 -C-618 Arabian Tights—C. Chase com. (20 min.) June 3  
 -C-649 The Rummy—Taxi Boys com. (17 min.) June 10  
 -C-606 The Midnight Patrol—Laurel-Hardy (20m) June 17  
 -C-650 Thundering Taxis—Taxi Boys com. (16m) June 24  
 R-665 Hello Pop—Revue ..... Aug. 12  
 R-666 Let Us Spray—Revue ..... Sept. 9  
 (End of 1932-33 Season)

### Paramount—One Reel

- Sc2-17 Sing Sisters Sing—Screen song (8½ m.) June 30  
 Z2-12 Hollywood on Parade No. 12 (10½ min.) June 30  
 A2-13 Jazz a La Cuba—Headliner (5 min.) ..... July 7  
 Y2-13 Screen Souvenirs No. 13 (9½ min.) ..... July 7  
 T2-18 Popeye, the Sailor—Boop cart. (7½ min.) July 14  
 P2-13 Paramount Pictorial No. 13 (10 min.) July 14  
 Sc2-18 Down by the Old Mill Stream—Screen S. July 21  
 Sc2-18 Down by the Old Mill Stream—Screen song (8  
 min.) ..... July 21  
 R2-13 Straight Shooters—Sports-Eye-V. (10½m) July 21  
 (End of 1932-33 Season)

### Beginning of 1933-34 Season

- T3-1 Old Man of the Mountain—Betty Boop (cart.)  
 (6½ min.) ..... Aug. 4  
 R3-1 What Makes a Champion—Grantland Rice Sport-  
 lights (10½ min.) ..... Aug. 4  
 A3-1 Capt. Henry's Radio Show—Head. c. (10m) Aug. 11  
 P3-1 Paramount Pictorial No. 1 (9 min.) ..... Aug. 11  
 Sc3-1 Stoopnocracy—Screen song (11½ min.) Aug. 18  
 Z3-1 Hollywood on Parade No. 1—(11½ min.) Aug. 18  
 Y3-1 Screen Souvenirs No. 1—(10 min.) ..... Aug. 25  
 R3-2 Sporting Melodies—G. Rice Sport. (9½ m) Aug. 25  
 T3-2 I Heard—Betty Boop (cart.) (7 min.) ..... Sept. 1  
 A3-2 A Bundle of Blues—Headliner ..... Sept. 1  
 P3-2 Paramount Pictorial No. 2—(10 min.) ..... Sept. 8  
 Z3-2 Hollywood on Parade No. 2 ..... Sept. 8  
 Sc3-2 When Yuba Plays the Rumba on the Tuba—  
 Screen song (9½ min.) ..... Sept. 15



## Paramount—Two Reels

M2-17 Husbands' Reunion—Sennet c. (19 min.)...July 7  
M2-18 The Big Fibber—Sennett com. (19½ min.)...July 14  
S2-12 The Barber Shop—Fields com. (21½ m.)...July 28  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

QQ3-1 Meet the Champ—Pallette-Catlett (20½m) Aug. 4  
LL3-1 Marriage Humor—Langdon com. (19 m) .Aug. 18  
DD3-1 Ducky Dear—Toler comedy .....Sept. 1

## RKO—One Reel

34305 Bali—Vagabond No. 5 (9 min.).....Mar. 17  
34115 The Last Mail—Fables cart. (6 min.).....Mar. 24  
34209 Puzzled Pals—Tom & Jerry cart. (7½m) (r) Mar. 31  
34116 Runaway Blackie—Fables cart. (6½ min.)...Apr. 7  
34505 Pathe Review No. 5 (10 min.).....Apr. 14  
34601 Grand National Sweepstake Race—  
Pathe News (8 min.).....Apr. 14  
34117 Bubbles and Troubles—Fables cart. (6½m) .Apr. 21  
34210 Hook Ladder and Hokum—Tom & Jerry  
cartoon (6½ min.) .....Apr. 28  
34118 A Dizzy Day—Fables cart. (7½ min.).....May 5  
34306 Contrast in China—Vagabond No. 6 (10m) .May 12  
34119 Barking Dog—Fables cartoon (7½ min.)...May 19  
34211 In the Park—Tom & Jerry cart. (6 min.)...May 26  
34120 Fresh Ham—Fables cart. (7½ min.).....June 2  
34406 Pathe Review No. 6 (11 min.).....June 9  
34121 Bully's End—Fables cart. (7 min.) .....June 16  
34212 Dough Nuts—Tom and Jerry cart. (7½ m) .June 23  
34122 Indian Whoopie—Fables cart. (7 min.)....June 30  
34123 Rough on Rats—Fables cartoon .....July 14  
34213 Not Yet Titled—Tom and Jerry cart. ....July 21  
34124 AM to PM—Fables cartoon .....July 28  
34507 Pathe Review No. 7 .....Aug. 4  
34125 Nut Factory—Fables cartoon .....Aug. 11  
(more to come)

## Beginning of 1933-34 Season

44401 Antwerp—Vagabond Series .....Sept. 8

## RKO—Two Reels

33705 Mickey's Big Broadcast—McGuire No. 5  
(19 min.) .....June 9  
33306 Good Housewrecking—Kennedy c. (20 m.)...June 16  
34603 Century of Progress—Pathe News Special  
(17½ min.) .....June 16  
33206 Gay Nighties—Clark-McCullough (20 m.)...June 23  
33406 Shakespeare with Tin Ears—Sweet (18½m) .June 30  
33106 Stolen by Gypsies—Masquers (21 min.) ...July 14  
33605 A Divorce Courtship—Headline c. (20 m) .July 21  
33706 Mickey's Disguise—M. McGuire (17½ m) ..July 28  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

43201 Kicking the Crown Around—Clark and McCul-  
lough comedy (18½ min.) .....Aug. 4  
43301 Quiet Please—E. Kennedy com. (20½ m) ..Aug. 11

## United Artists—One Reel

14 Mickey's Mechanical Man—M. Mouse (cart) ..May 5  
10 Three Little Pigs—S. Sym. (cart.) (8 m) ....May 26  
15 Mickey's Gala Premiere—M. Mouse cart. (7m) June 9  
11 Old King Cole—S. Symphony (cart.) (8 min.) .July 27  
16 Puppy Love—M. Mouse (cart.) .....Rel. date not set  
12 Lullaby Land—S. Sym. (cart.) (8 m) .Rel. date not set  
(End of 1932-33 Season)

## Universal—One Reel

A5409 Beau Best—Oswald cart. (6 min.).....May 22  
A5208 Strange As It Seems No. 29 (8½ min.) ...May 29  
A5310 Nature's Workshop—Pooch car. (7½ m) ..June 5  
A5410 Ham and Eggs—Oswald cartoon (6 min.) .June 19  
A5311 Pin Feathers (Fine Feathers)—Pooch c. 9m. July 3  
A5209 Strange As It Seems No. 30 (reset) .....July 10  
A5411 Confidence—Oswald cart. (7½ m) (reset) .July 31  
A5210 Strange As It Seems No. 31 (8½m) (reset) Aug. 7  
A5312 King Klunk—Pooch cartoon .....Aug. 14  
A5313 She Done Him Right—Pooch cartoon ....Sept. 11  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7261 Goofytone News No. 1—Snappy c. (7½ m) Aug. 28  
A7241 Strange As It Seems No. 32 .....Sept. 4

## Universal—Two Reels

A5912 The Journey's End—Clancy No. 12 (20 m.) .May 15  
A5939 Beauty on Broadway—Winchell (21½ m.) .May 15  
A6001 The Great Air Meet—Phantom of the Air  
No. 1 (20½ min.).....May 22  
A6002 The Secret of the Desert—Phantom  
No. 2 (20½ min.).....May 29  
A5120 A Quiet Night—Roach com. (20½ min.)...May 31  
A6003 Avenging Phantom—Phantom 3 (17½ m.) .June 5  
A6004 The Battle in the Clouds—Phantom  
No. 4 (17½ min.) .....June 12  
A5121 His First Case—Vince Barnett (20½ min.) .June 14  
A6005 Terror of the Heights—Phantom 5 (17m) .June 19  
A6006 The Wild Ride—Phantom No. 6 (17 m) ...June 26  
A6007 The Jaws of Death—Phan. No. 7 (17 ½m) .July 3  
A6008 Aflame in the Sky—Phan. No. 8 (16½ m) ..July 10  
A5122 Gleason's New Deal—Doane No. 20 (20 m) .July 12  
A6009 The Attack—Phantom No. 9 (18½ m) ....July 17  
A6010 The Runaway Plane—Phan. No. 10 (15 m) July 24  
A6011 In the Enemy's Hand—Phan. No. 11 (20 m) July 31  
A6012 Safe Landing—Phantom No. 12 (17 m) ..Aug. 7  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7401 A Lone Hand—Gordon of Ghost City No. 1  
(21½ min.) .....Aug. 14  
A7402 The Stampedee—Gordon No. 2 (21 min.) ..Aug. 21  
A7403 Trapped—Gordon No. 3 .....Aug. 28  
A7190 World's Greatest Thrills (Spec.) (19 m) .Aug. 28  
A7101 He Couldn't Take It—Doane No. 1 .....Aug. 29  
A7404 The Man of Mystery—Gordon No. 4 .....Sept. 4  
A7161 On the Air and Off—Mentone Mus. No. 1 .Sept. 5  
A7405 Riding for Life—Gordon No. 5 .....Sept. 11  
A7102 Stung Again—Doane No. 2 .....Sept. 13

## Vitaphone—One Reel

6923 Around the World in 8 Minutes—Burlesque  
on Travelogues (9 min.).....June 17  
6921 Breakwater—Dramatic Novelty (9 min.)....June 24  
7303 Hip Action—Bobby Jones (10 min.).....June 24  
6611 Costumes of the World—Newman Adv. (9m) .July 1  
6710 Beau Bosko—Looney Tunes (7 min.).....July 1  
6811 Shuffle Off to Buffalo—M. Mel. (7 min.)....July 8  
7304 Down Swing—Bobby Jones (10 min.).....July 8  
7012 The Audition—Musical (10 min.).....July 8  
6924 Fisherman's Holiday—Fishing Nov. (9 m) .July 15  
7305 Impact—Bobby Jones (10 m) .....July 15  
6925 Stuck, Stuck, Stucco—comedy (9 m) .....July 22  
6711 Bosko's Mechanical Man—L. Tunes (cart.) .July 29  
7306 Fine Points—Bobby Jones (10 m) .....Aug. 5  
6613 The Top of the World—Newman adv. (10 m) Aug. 5  
6812 The Dish Ran Away with the Spoon—Merrie Mel-  
odies (7 min.) .....Aug. 5  
6712 Bosko the Musketeer—L. Tunes (car.) (7 m) Aug. 12  
7013 In a Castilian Garden—musical (9 m) .....Aug. 19  
6926 Seeing Samoa—travelogue (9 m) .....Aug. 19  
6713 Bosko's Picture Show—L. Tunes (7 m) ....Aug. 26  
6913 We're in the Money—Merrie Mel. (7 m) ....Aug. 26  
(End of 1932-33 Season)

## Vitaphone—Two Reels

7208 The Build Up—Jack Haley com. (17 min.) .Jan. 21  
7115 Speaking of Operations—Bway. Brev. (18m) .Jan. 28  
7209 Buzzing Around—Big "V" com. (19 min.)...Feb. 4  
7118 World's Champ—Dempsey (18 min.).....Feb. 11  
7113 Pleasure Island—Bway. Brev. (18 min.)....Feb. 25  
7210 Wrongorilla—Big "V" comedy (20 min.)...Mar. 4  
7114 Yours Sincerely—Bway. Brev. (19 min.)....Mar. 11  
7117 Nothing Ever Happens—Bway. Brev. (18m) .Mar. 25  
7116 Northern Exposure—Bway. Brev. (16 m.)...Apr. 8  
7119 Way of All Freshmen—Musical (19 min.)...Apr. 22  
7212 An Idle Roomer—Jack Haley com. (19 m.)...May 6  
7120 Along Came Ruth—Ruth Etting (19 min.)...May 6  
7121 Fif—Musical comedy (19 min.).....May 20  
7108 Sky Symphony—Musical comedy (18 min.) .June 3  
7123 Pie A La Mode—Musical comedy (18 min.) .June 17  
7211 How've You Bean—Fatty Arbuckle (18 m.) .June 24  
7124 Crashing the Gate—Ruth Etting (18 m) ....July 1  
7122 Double Crossing of Columbus—com. (19 m) .July 15  
7111 That Goes Double—musical com. (19 m) ...July 29  
7125 Twenty Thousand Cheers for the Chain Gang—  
comedy satire (19 min.) .....Aug. 12  
7213 Nothing But the Tooth—Haley c. (19 m) ..Aug. 19  
7126 The "No" Man—musical comedy (19 m) ....Aug. 26  
(End of 1932-33 Season)

## NEWSWEEKLY NEW YORK RE- LEASE DATES

### Universal News

166 Saturday ....July 29  
167 Wednesday ..Aug. 2  
168 Saturday ....Aug. 5  
169 Wednesday ..Aug. 9  
170 Saturday ....Aug. 12  
171 Wednesday ..Aug. 16  
172 Saturday ....Aug. 19  
173 Wednesday ..Aug. 23  
174 Saturday ....Aug. 26  
175 Wednesday ..Aug. 30  
176 Saturday ..Sept. 2  
177 Wednesday ..Sept. 6  
178 Saturday ....Sept. 9  
179 Wednesday ..Sept. 13

### Pathe News

#### 1933-34 Season

45101 Sat. (O.)...July 29  
45202 Wed. (E.) .Aug. 2  
45103 Sat. (O.)..Aug. 5  
45204 Wed. (E.) .Aug. 9  
45105 Sat. (O.) .Aug. 12  
45206 Wed. (E.) .Aug. 16  
45107 Sat. (O.) .Aug. 19  
45208 Wed. (E.) .Aug. 23  
45109 Sat. (O.) .Aug. 26  
45210 Wed. (E.) .Aug. 30  
45111 Sat. (O.) .Sept. 2  
45212 Wed. (E.) .Sept. 6  
45113 Sat. (O.) .Sept. 9  
45214 Wed. (E.) .Sept. 13

### Fox Movietone

90 Saturday ....July 29  
91 Wednesday .Aug. 2  
92 Saturday ....Aug. 5  
93 Wednesday .Aug. 9  
94 Saturday ....Aug. 12  
95 Wednesday .Aug. 16  
96 Saturday ....Aug. 19  
97 Wednesday .Aug. 23  
98 Saturday ....Aug. 26  
99 Wednesday .Aug. 30  
100 Saturday ....Sept. 2  
101 Wednesday .Sept. 6  
102 Saturday ....Sept. 9  
103 Wednesday .Sept. 13

### Paramount News

103 Saturday ....July 29  
104 Wednesday .Aug. 2  
(End of 1932-33 Season)

#### 1933-34 Season

1 Saturday ....Aug. 5  
2 Wednesday .Aug. 9  
3 Saturday ....Aug. 12  
4 Wednesday .Aug. 16  
5 Saturday ....Aug. 19  
6 Wednesday .Aug. 23  
7 Saturday ....Aug. 26  
8 Wednesday .Aug. 30  
9 Saturday ....Sept. 2  
10 Wednesday .Sept. 6  
11 Saturday ....Sept. 9  
12 Wednesday .Sept. 13

### Metrotone News

288 Saturday ....July 29  
289 Wednesday .Aug. 2  
290 Saturday ....Aug. 5  
291 Wednesday .Aug. 9  
292 Saturday ....Aug. 12  
293 Wednesday .Aug. 16  
294 Saturday ....Aug. 19  
295 Wednesday .Aug. 23  
296 Saturday ....Aug. 26  
297 Wednesday .Aug. 30  
298 Saturday ....Sept. 2  
299 Wednesday .Sept. 6  
300 Saturday ....Sept. 9  
301 Wednesday .Sept. 13



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No. 34

## The Apathy of the Exhibitors and the Probable Consequences

For several weeks P. J. Wood, business manager of Motion Picture Theatre Owners of Ohio, with headquarters at Columbus, has been trying to arouse the Ohio exhibitors to the danger to their investments from the tax bill that was about to be enacted by the Ohio State Legislature, taxing amusement tickets one cent for every ten cents or fraction charged for an admission. At first there was talk about adopting a sales tax, but Mr. Wood called the attention of the exhibitors to the fact that a sales tax was opposed by the well organized, well financed, powerful Retail Merchants Association, and that it looked as if that association was going to have its way, inevitably throwing the burden upon the exhibitors.

Mr. Wood made a frantic appeal to the exhibitors for funds to enable him to put up a fight against the tax of one cent for each ten cents charged but very few exhibitors responded to that appeal. As a result, the tax bill was passed by the Senate and is now in the hands of the House; Mr. Wood renewed his appeal for funds to have it defeated.

According to an estimate Mr. Wood made, the Ohio tax bill, if it should be passed also by the lower House, will cost the exhibitors of that state the following sums yearly:

For theatres grossing \$200 weekly.....	\$1,250
For theatres grossing \$400 weekly.....	\$2,500
For theatres grossing \$1000 weekly.....	\$6,500

Standing miles away from Ohio, I cannot say what is in the minds of the exhibitors of that state just now; but knowing the apathetic nature of the average exhibitor I can say that they will not supply Mr. Wood with the funds he needs, and that the tax bill will, as a consequence, be passed by the lower House, costing the exhibitors the yearly sums as indicated by Mr. Wood's table. In other words, for failing to spend voluntarily a few dollars now to defeat this bill, the exhibitors of that state will pay hundreds of thousands, and even millions of dollars, yearly the Lord knows for how many years, for once a tax is installed it is difficult for those who are affected by it to have it removed. The State of Connecticut is a case in point; the tax has been in the statute book of that state for several years now.

The lack of interest on the part of the exhibitors in the protection of their business interests has been to me one of the greatest puzzles. They are the worst organization men known in existence. They will squeal, and kick, and yell, and holler, against unfair methods of competition, but when it comes to putting their hands into their purses to provide the means by which such methods could be eradicated, they run away from the door of their organization; and if they should happen to see an officer of their organization coming up the street, they turn the corner hastily to avoid him.

Representatives of the Allied organization spent in New York two weeks battling desperately so that the interests of the independent theatre owners may be protected. They fought for the establishment of the exhibitor's right to bid and obtain pictures against any other exhibitor as long as he is willing to pay the price; against block-booking, blind-selling, dictating on what days an exhibitor must show his pictures, forcing of shorts with the features, unreasonable protection, overbuying, score charges, construction of additional theatres, unfair exhibition contracts, unfair arbitration and against so many other abuses which, if corrected by the Code, would give every exhibitor's business a new lease of life. How many of the exhibitors have asked where these men get the money from to spend while carrying on the battle? The benefit all exhibitors will derive is incalculable; and yet if they were asked to

contribute their share of the expense, they would no doubt act the way the Ohio exhibitors are acting towards P. J. Wood's appeal for funds.

It must be discouraging to the exhibitor leaders to be fighting for the protection of the interests of men who either do not appreciate what is being done for them or are unwilling to do so.

I have prided myself all these years in knowing that the exhibitors who subscribe to Harrison's Reports are the cream of the exhibiting branch of the industry. They have always responded to appeals from this paper for funds and I am sure that they will again show their superiority over other exhibitors.

After reading this editorial, sit down and make out a check for a substantial amount to Mr. James Ritter, President of Allied States Association of Motion Picture Exhibitors, and mail it to him in care of the Rialto Theatre, 6345 Gratiot Avenue, Detroit, Michigan, informing him that it is a contribution to Allied, with a letter thanking him and the other Allied leaders for the time they have spent in New York battling for the protection of the interests of all independent theatre owners. Tell Mr. Ritter how thankful you feel for what he and his colleagues have done for you. After all, bear in mind that Mr. Ritter receives nothing for his hard work, and deserves at least your thanks.

As far as the Ohio exhibitors are concerned and their apathy towards the appeals of Mr. Wood, all I can say is that, if the tax bill should pass the lower House and they pay through the proverbial nose, they should blame no one else but themselves.

## A SAMPLE OF DARRYL ZANUCK'S GENIUS

During the three years of my publishing the Forecaster, I have read more than five hundred books, plays or magazine stories.

Among these, there have been some very dirty ones: William Faulkner's "Sanctuary," which was produced by Paramount, is one of them; Joy Baine's "Wife to Hugo," announced by Metro-Goldwyn-Mayer but not produced to this day as a result of the war this paper has carried on against it, is another. There are dozens of others. But never have I read anything to compare in vileness and vulgarity with Nathanael West's "Miss Lonelyhearts," announced by Twentieth Century Pictures. It is so obscene that I am surprised that its publication should have been permitted, particularly because of its implications of degeneracy. It cannot be defended on the grounds of art; it has none: it is just low and vulgar, put out undoubtedly to appeal to moronic natures.

It is true that "Sanctuary" was as low as literature could reach, but at least one can say this about it: it was done artistically and only adult minds could comprehend the meaning conveyed. The case of "Miss Lonelyhearts," however, differs in that it is written in a language that an eight year old boy or girl will understand.

The worst feature of this book, however, lies not in its vulgarity but in the fact that it uses as the main characters a columnist and a newspaper editor, presenting both in the worst of colors. The editor is painted as a dirty dog, and the columnist bereft of the slightest trace of decency.

Since I know how sensitive newspaper people are, I felt that if this book were produced and the exhibitors innocently bought and showed the picture, the harm that would be done to exhibitor interests would be incalculable; for the newspaper people might accuse also

(Continued on last page)



## "Moonlight and Pretzels" with Mary Brian, Leo Carrillo and Roger Pryor

(Universal, Aug. 3; running time, 83 min.)

Excellent musical comedy entertainment. The music is catchy and the action is fast. Besides the backstage atmosphere and the usual dancing and singing, there is a feeling of human interest throughout, which is brought about by the hero's efforts to make a success of his show. In addition, excellent comedy situations are provided by Leo Carrillo as a wealthy gambler who is enamoured of the leading lady. Suspense is sustained almost to the very last minute because one does not know whether the show will or will not go on and if it would go on whether it would make a success:—

The hero, a vaudeville hoofer, is stranded in a small town and is given employment in the heroine's music store to plug songs. She falls in love with him but, although he likes her, he lives in dreams of some day producing a musical hit in New York. One of his songs is accepted by a New York publishing house and he immediately decides to go there. The heroine is broken-hearted at parting but he tells her they will meet again. He becomes a great success as a song-writer and when he finds his producers were cheating him he decides to put on his own shows. His backers sell out to the producers and they demand \$30,000 for costuming by the next morning or else the hero will be through. In the meantime, the heroine, who had come to New York, joins up in the chorus of the show and all her efforts to see the hero are of no avail. The leading lady of the hero's show induces a well known gambler to invest the necessary money, which he is glad to do because he loves her. The heroine, disgusted at her inability to talk to the hero, forces her way into his office and denounces him. There is a happy reconciliation. Another gambler who had become infatuated with the heroine, shoots dice with the leading lady's gambler friend and wins away his share from him. He then attempts to place the heroine in the leading role and the hero, thinking the heroine had brought about that situation, quarrels with her. But she soon realizes she is not good enough for the part and induces the gambler to give the show back to the hero. The play is a great success and everything is explained to the hero. He and the heroine are united, and so are the leading lady with her gambler friend.

The plot was adapted from a story by Monte Brice, Sig Herzog and Arthur Jarrett. It was directed by Monte Brice. In the cast are Herbert Rawlinson, Lillian Miles, Bobby Watson, William Frawley, and others.

Some of the talk is a little suggestive; otherwise suitable for children, adolescents, and for Sundays.

**SUBSTITUTION FACTS:** This is replacing No. 5014, listed on the contract as "The Flight Commander" from the play "The Empty Chair" by James N. Hall and Charles Nordhoff. It is a story substitution. But Universal deserves credit for not pulling it off and charging you more money for it, as others are doing with pictures that occasionally turn out better than the rest.

## "The Blarney Kiss"

(B. & D. Productions; running time, 70 min.)

A fair English production, with an all British cast. It has some good comedy situations and human interest; the second half holds one in fair suspense. But as in most English productions it moves rather slowly, and the accents are so thick that American audiences will not be able to understand what is being said. The hero is a sympathetic character and wins one's respect by his sacrifice for the sake of the heroine:—

As a child the hero had kissed the blarney stone, and because of this, as superstition had it, he would always be blessed with charm, wit, and good luck. As a grown man his house was burned down by some Irish rowdies, but because of his charming manner he is saved from being killed by them. He goes to London but luck is against him until he meets an English lord whom he had once befriended in Ireland, when the Lord and his sister (heroine) had stopped at the hero's house for water. He is given a position in an investment company and soon becomes the managing director. He is in love with the heroine and she with him. The brother, because of gambling debts, embezzles some of the firm's money and the hero, not knowing anything about this, induces the heroine to loan him all her money so as to stop rumors. But the truth comes out, the firm is declared bankrupt and the hero is sentenced to prison for seven years for embezzlement. He suspects the heroine's brother but refuses

to speak against him. The brother, remorseful because of the wrong he had done, kills himself and leaves a note confessing all. The hero is released and is united with the heroine. Just when they are wondering how to get a new start in life he finds that he is in luck again. Some money he had invested in an invention proved of value and brought him a small fortune.

The plot was adapted from a story by A. R. Rawlinson. It was directed by Tom Walls. In the cast are Tom Walls, Anne Grey, Robert Douglas, Haidee Wright, and others.

Suitable for children, adolescents, and for Sundays.

## "Morning Glory" with Katharine Hepburn, Douglas Fairbanks, Jr. and Adolphe Menjou

(RKO, 1933-34 Season (Aug. 18); running time, 73 min.)

For sophisticated audiences, who can enjoy a picture for the quality of the performances alone without paying much attention to the story, this is good entertainment. But the masses will be bored since it is all talk and no action. Katharine Hepburn is superb; she gives life and color to a part that would seem muddled and silly had any other player been in it. But this is not enough to hold the interest of most people. The story is poor—the characters are not particularly sympathetic:—

The heroine, a small-town girl, is determined to become a great dramatic actress. She goes to the office of one of the more famous theatrical producers and there she meets the hero, an author, who sympathetically listens to her dreams. The manager is annoyed, particularly since he was casting for his new show. An old-time actor takes an interest in the heroine and agrees to give her lessons in diction. He does not hear from her and one rainy night he notices her drinking coffee in a diner. He takes her to a party at the manager's home and she drinks a little too much. She does bits for the assembled guests from "Hamlet" and "Romeo and Juliet" and the hero, also a guest, feels the girl has something. She is put to bed and the next morning when the hero calls to see the manager he is heart-broken when he learns that she had been with the manager that night, for he realized he loved her and the manager did not. She leaves without the hero having the nerve to tell her that she means nothing to the manager. She dreams of doing big things and takes any sort of theatrical work for experience. At the opening night of the manager's most important play the leading lady becomes temperamental and refuses to go on unless given an interest in the show. The hero begs the manager not to give it to her but instead induces him to permit the heroine to act the part. It seems the hero had found her and brought her to the theatre and she knew the play perfectly. She is put on and makes a tremendous success. She feels that now the manager will love her but he tells her frankly she is not his type and she accepts his verdict. The hero offers her his love which she refuses. She wants to go on and live life for all it is worth.

The plot was adapted from a story by Zoe Akins. It was directed by Lowell Sherman. In the cast are Mary Duncan, C. Aubrey Smith, Don Alvarado, and others.

Not suitable for children, adolescents, or for Sundays.

## "The Man Who Dared" with Preston Foster

(Fox, July 14; running time, 76 min.)

"The Man Who Dared" has been based on the life story of former Mayor Cermak, of Chicago, who was killed in the attempted assassination of President Roosevelt in Florida. It is good entertainment with much human interest, and although it moves slowly at times, it holds one's attention throughout. The hero is a sympathetic character; his life of honesty and hard work, bringing about his rise from a miner to a Mayor, is inspiring. His is the sort of character that will be understood and enjoyed by the masses. The heroine, too, arouses sympathy by her faithfulness and loyalty to the hero, sharing with him in his trials and tribulations. The closing scenes, which are similar to the actual scenes of the attempted murder of President Roosevelt, are exciting and at the same time pitiful.

The plot was adapted from a story by Dudley Nichols and Lemar Trotti. It was directed by Hamilton MacFadden. In the cast are Zita Johann, Joan Marsh, Irene Biller, Clifford Jones, Leon Waycoff, Frank Sheridan, and others.

There is one situation in which a young girl tries to involve the hero; otherwise it is suitable for children, adolescents, and for Sundays.

**SUBSTITUTION FACTS:** This is replacing No. 33, listed on the contract as "Bought On Time," featuring Joan Bennett. It is a star substitution.



### **"The Power and the Glory" with Spencer Tracy, Colleen Moore and Ralph Morgan**

(Fox, 1933-34 Season (Oct. 6); running time, 77 min.)

Most of "The Power and the Glory" provides excellent dramatic entertainment. The producers have used a novel form in telling the story which they call "narratage"—that is, it is done in a flashback with one man telling the story, the characters at times speaking their own lines. The story is not told consistently from beginning to end but shows first later incidents in the hero's and heroine's life, and then goes back to his childhood and their courtship days, flashing back to the present day again and after that back to their early married life. This may prove confusing to some people. The idea of the hero's son having relations with his step-mother is extremely distasteful even though it has been done in a subtle manner. It is an ugly situation, and it will bring chills to most people because of its unnatural and horrible implications. In spite of the fact that the hero is shown as being hard and relentless, and even falling in love with another woman after his own wife had slaved to bring him to a prominent position, one sympathizes with him. Most of this sympathy is brought about because of his loyalty to his friend who had grown up with him from childhood days; the beautiful friendship that existed between them is inspiring.

The story is told by Ralph Morgan, the friend, when after the hero's funeral Morgan's wife berates him for thinking well of his dead friend. In order to show her how wonderful the hero was to him he tells her how they grew up together. The hero was a track-walker and had no schooling. He fell in love with the heroine, the school-teacher in his small town, and she taught him how to read and write. They married and she was so ambitious to have him succeed that she forced him to go to school while she took his job as track-walker. He progressed in the railroad business and a son was born to them. Years later when the son was thrown out of college for drunkenness the hero wanted to put him to work but the heroine objected to it. The years had spoiled her temper and she was unhappy. In acquiring a new railroad the hero met a young society girl and fell in love with her. When he told this to his wife she killed herself. Later he married the girl. On his wedding night he was called away to address the railroad strikers and his new wife had an affair with the son. A child is born to her and the hero discovers the truth. In despair he kills himself. When the friend finished the story his wife sympathetically patted his shoulder.

The plot was adapted from the story by Preston Sturges. It was directed by William K. Howard. In the cast are Helen Vinson, Clifford Jones, Henry Kolker, Sarah Padden, Billy O'Brien, Cullen Johnston and J. Farrel MacDonald.

Not suitable for children, adolescents, or for Sundays.

### **"Captured" with Leslie Howard, Douglas Fairbanks, Jr., and Paul Lukas**

(Warner Bros., Aug. 19; running time, 71½ min.)

Poor. It is a war drama without much power to the story, and it never strikes a realistic note. The characters are extremely unsympathetic because of the unpleasant things they do. For instance, the act on the part of the hero of reading a letter addressed to another man is so unsportsmanlike that it will be resented by sensitive people, particularly by Englishmen, since the hero takes the part of an English army officer. The friend, too, is a cad—he steals the love of the hero's wife and taunts the hero about it; and the heroine wins no sympathy at all for she transfers her affections to the friend without any thought of what it might do to the hero. Some sympathy is felt for the hero in the closing scenes since he sacrifices his life for his friend but even in doing this he brings disgrace to a man who had been kind to him and to the other men. The background, most of which takes place in a German prison camp, is drab and ugly and gives one a despondent feeling. Good acting is lost on an undeserving story:—

After having been married just six days the hero is ordered to the firing lines. He and a group of other officers are made prisoners and kept in a German prison camp. He intercedes on behalf of the men and gains some liberties for them, giving his word of honor that they will not escape. His pal is captured and brought to the same camp but the hero is puzzled by his unfriendly manner. The pal escapes and the same night a young German girl is found raped and murdered, and the hero's discarded coat near her. Thinking that the friend had committed the murder the German commander demands the return of the man from

the English army, which demand the hero approves by affixing his signature to the document when he finds in his pal's coat a letter to him from his wife confessing her love for the friend. He is brought back but denies any guilt. He is sentenced to be shot. The really guilty man sends a note to the hero confessing but the hero does not turn it over to the German commander. In the morning, just as the friend is to be shot, he relents and saves him. He aids the friend and his men to escape from the camp and loses his life thereby.

The plot was adapted from a story by Sir Philip Gibbs. It was directed by Roy Del Ruth. In the cast are Margaret Lindsay, Arthur Hohl, Robert Barrat, John Bleifer, and others.

Unsuitable for children, adolescents, or for Sundays. But it may prove thrilling to the roughnecks.

### **"Police Call" with Nick Stuart**

(Hollywood Pictures; running time, 61 min.)

Tiresome program grade entertainment. Although the hero is a sympathetic character, the story is so trite that one loses interest in the outcome. The first half concerns itself with gangster activities and is unpleasant. There is some suspense in the second half when the hero, a member of an expedition looking for ancient ruins in Guatemala, is in constant fear of being discovered as a murderer wanted by the police.

The hero, a champion boxer, decides to give up the ring so as to go to college. The town racketeer wants him to join up with his organization and when the hero refuses, the racketeer attempts to put the hero's sister in a compromising position. The hero, in an attempt to save her, punches one man, throwing him down a flight of stairs. Thinking he had killed the man, he leaves town and joins up with the expedition of a famous scientist. The heroine, secretary to the scientist, falls in love with him and the hero loves her, too. The scientist is jealous, for he, too, loves the heroine. The scientist finds the ancient things he had come after and starts off with a guide to the ship to sail for the United States. The hero decides to stay in Guatemala and the heroine, loving him, offers to do likewise. But the doctor is killed by bandits and the hero is forced to go back to the United States with the treasure. The heroine joins him. To his joy he finds that the man he thought dead had only been slightly injured and that his sister is now happily married to this man. The hero and the heroine are married.

The plot was adapted from a story by Norman Keen. It was directed by Philip H. Whitman. In the cast are Merna Kennedy, Roberta Gale, Mary Carr, Walter McGrail, Warner Richmond, Robert Ellis, and others.

Not suitable for children, adolescents, and for Sundays.

### **"Dance Hall Hostess" with Helen Chandler**

(Mayfair Pictures; running time, 66 min.)

A trite story and slow action makes this ordinary program entertainment. Some sympathy is felt for the heroine alone, since the other characters are spineless, their acts tending to make one feel antagonistically towards them. There is some suspense in the closing scenes, when the heroine and the hero are unjustly accused of having plotted her husband's death, but the general effect of the whole picture is that of boredom.

In the development of the plot the hero and the heroine are in love with each other but he is unnecessarily jealous of her. In the dance hall, where she worked as a hostess, she meets a young wealthy man who is almost constantly drunk. He sends her gifts which the hero resents and he quarrels with the heroine. Thinking the heroine wanted a man with money he joins up with a gang and is arrested and sent to prison for transporting liquor. The heroine, not knowing what had happened to him and thinking he had deserted her, marries the wealthy young man, but although they later have a child, he is not cured of his drunken habits. The hero, released from prison, becomes a chauffeur in the heroine's home and when they meet explanations follow. The husband, realizing that he was a useless sort of person, kills himself. At first, when it is shown that the hero and the heroine had been former sweethearts, they are regarded as suspicious characters, but the testimony later proves that they are innocent and that the husband committed suicide. The hero and the heroine are united.

The plot was adapted from a story by Sam Gibson. It was directed by Breezy Eason. In the cast are Edward J. Nugent, Jason Robards, Alberta Vaughn, Natalie Moorhead, and others.

Not suitable for children, adolescents, or for Sundays.



the exhibitors of being a party to this defamation of newspaper folk carried on systematically by the moving picture producers. Several times the producers have promised the newspaper people that they would refrain from presenting the newspaper profession in bad light, and their word was accepted. Imagine how the newspaper men will feel if this book were to be put into a picture without an effort on our part to stop it.

To cause the production of this picture to be abandoned, I have mailed to every daily in the United States and to more than fifty newspaper associations a twelve hundred word synopsis with a letter calling their attention to the intention of Darryl Zanuck, of Twentieth Century Pictures, and of his ally, Joe Schenck, of United Artists, to make a picture out of this material, urging them, not only to protest to these, but also to send a letter either to Mr. Hugh S. Johnson, Administrator, or to Mr. Sol A. Rosenblatt, Deputy Administrator, of the NRA, recommending that a provision be put into the moving picture industry's code making block-booking and blind-selling an unfair method of competition. And there is no doubt in my mind that many of them will heed this paper's recommendation.

You should not let the matter go by without taking a definite action. Production of this book is the most shameless violation of producer solemn promises and the greatest affront to the newspaper people, and is destined to act unfavorably upon the entire motion picture industry, for the newspaper publishers will have it established firmly in their minds that promises made by picture people, no matter how solemn, are not worth anything. And when such a feeling as this is firmly rooted in their minds, the moving picture industry will suffer to the extent of millions of dollars.

### PICTURES PRODUCED WITH PROBABLY POOR SOUND

In last week's issue I gave you a number of pictures that were either half-finished or just begun when the different technical crafts went on strike at the Hollywood studios of the major companies. Here are some more such pictures:

#### MGM

"Queen Christina," with Greta Garbo; "Bombshell," with Tracy-Harlow; "Stage Mothers," with Brady-Tone; "Solitaire Man," with Marshall-Allan.

#### RKO

"Chance at Heaven," with McCrea-Rogers; "Aggie Appleby," with Chas. Farrell; "Without Glory," with Constance Bennett.

#### Warner Bros.-First National

"Ever in My Heart," with Stanwyck; "Female," with Ruth Chatterton; "The World Changes," with Paul Muni; "Kennell Murder Case," with William Powell; "House on Fifty-Sixth Street," with Kay Francis; "Havana Widows," with Blondell-Farrell.

The strike will, no doubt, be settled soon, but the damage has already been done on the pictures that have been produced with the strike-breakers. All this paper wants to do is warn you that poor sound may cost you the loss of business so that you may act accordingly.

### DIRTY PICTURES AND THE NEWSPAPER PEOPLE

At a meeting of the Movie Advertising Committee of the New York State Publishers Association, held in Syracuse on August 18, the following resolution was passed:

"The New York State Publishers' Association places itself on record as being opposed to the immoral and indecent illustrations offered for publication from time to time by moving picture houses and other classes of advertisers.

"We believe the depression is causing a different view point in business to spring up and we no longer desire to offend the sensibility of many of our readers by accepting questionable advertising.

"We suggest that this organization favor the plan of asking all publishers to instruct their advertising department to submit all advertising that is likely to give offense from a sexual standpoint to the publisher for his personal O.K. before insertion.

"Further, that copies of this resolution be sent to Mr. Will Hays of the moving picture industry and to

the officers of national advertising organizations with the request that they send this information out for the guidance of their members.

"Further, that additional copies of this resolution be furnished each publisher in the number necessary to be given locally to the moving picture houses or other advertisers who might be interested in the subject of this resolution."

### THE WORK OF THE CODE CONFERENCE ENDED

At 12:30 last Saturday, the committees that were working for the formulation of the Industry Code under orders of Mr. Sol A. Rosenblatt, Deputy Administrator of the NRA, adjourned *Sine Die*. A Continuing Committee, consisting of Messrs. Abram F. Myers, general counsel of Allied States Association, representing the independent exhibitors, Ed. Kuykendall, president of Motion Picture Theatre Owners of America, representing some independent exhibitors and in the main affiliated exhibitors, Harold B. Franklin, head of RKO theatres, representing the affiliated theatres, and A. H. Schwartz, a prominent New York City exhibitor, representing independent circuits, was appointed by Mr. Charles L. O'Reilly, co-ordinator for the exhibitor groups, to carry on the work until the Code is adopted by the Administrator. Sidney Kent has appointed four for his groups.

The procedure that will be followed, according to the way I understand it, is this: The two parts of the Continuing Committee—the one under Sidney R. Kent, Co-ordinator for the producer-distributor side, and the other under Charles L. O'Reilly, Co-ordinator, as said, for the exhibitor side, will get together to put the Code in final form in accordance with the decisions of the conferences. The clauses agreed upon by both sides will be submitted as representing the majority, and the other clauses will be submitted along with the exceptions taken by either of the two groups, the excepting side presenting its views as to how it should be framed in the code so as to promote the letter and spirit of the NRA. It will be up to the Administrator, then, to decide what to do. The Code will then be printed and passed to the industry, after which a hearing will be set in Washington for final changes.

You want, I am sure, to know whether there has been any agreement on important points. My answer is "No!" The producer-distributor side, unwilling to part with the privileges it has enjoyed for years, tried desperately to hold on to them. On the other hand the independent exhibitor group was determined that those it represented should have an opportunity to work under fair methods of competition and stood its ground to the last. On the right of the exhibitor to buy, for example, it has capitulated nothing; by its valiant fight it forced the other side to acquiesce to the principle. It fought with the same zest and spirit also for the other basic practices, such as block-booking, blind-selling, freedom from interference by the producers in determining on what days an exhibitor will play their pictures, fair arbitration, and others. Mr. Jacob Schechter, counsel for the Federation of the Motion Picture Industry, fought for the independent producer-distributors valiantly; he let the other side put nothing over on him.

This week the scene will be shifted to Washington. The fate of your investments will then be placed in the hands of the United States Government, where your chances for fairness are the greatest.

### SUBSCRIBE TO THE FORECASTER

The production of "Miss Lonelyhearts" proves that you cannot be too watchful as to the sort of material the producers put into pictures. And the only way by which you can keep informed of these expositions of bad taste is to subscribe to Harrison's Forecaster. Zanuck, for instance, has been painted to us as a genius when it comes to producing pictures. You were made to believe that the luck Warner Bros. had during the 1932-33 season was owed exclusively to Darryl Zanuck. If "Miss Lonelyhearts" is a sample of what he is going to deliver, I pity the exhibitor who will place the safety of his investment in his hands.

Send for a subscription to the Forecaster today. The expose of this material alone has saved those of you who contemplated contracting for the Twentieth Century Pictures product many times the amount of the subscription.



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

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### The Philadelphia Exhibitors at War Against Warner-First National

As a result of the unfair business tactics of Warner Bros., who have arbitrarily lifted "Gold-Diggers of 1933" and eight other pictures off the 1932-33 program and put them in their 1933-34 group of pictures, the independent theatre owners of the Philadelphia zone, supported in their action by their organization whole-heartedly, have, as reported to this paper, declared war against Warner Bros. and First National.

The weapons they intend to use in this war, unheard of in the motion picture industry before, are, according to the same report, the following: (1) a suit in equity to compel the Warners to deliver "Gold-Diggers" to the contract-holders of the 1932-33 season; (2) picketing their Philadelphia exchange; (3) picketing all Warner Theatres in the Philadelphia territory whenever any of the eight pictures that were taken away from the 1932-33 contract holders is shown in any of such theatres; (4) employing ballyhoo wagons to parade the streets of Philadelphia announcing to the public that the Warner Theatres are unfair; (5) showing trailers on their screens and passing out handbills informing the public of the unjust, unfair, arrogant and arbitrary attitude of the Warners towards the exhibitors; (6) employing four-minute speakers to explain the controversy to the public and asking for their support; (7) employing speakers to address the Rotarians, the Kiwanis, the Elks, the Masons, the Women's Clubs, the Parent-Teachers Associations and, in fact, every other association of any consequence so that the greatest number of the picture-goers may become enlightened about the controversy.

As to the first weapon, let me say that the suit has already been brought. The statement in the *Film Daily* last week to the effect that the denial of Judge Fineletter, of the Common Pleas Court, of the preliminary injunction sought for by the exhibitors is a victory for Warner Bros. by interpreting the decision as meaning that "Gold-Diggers" is not a 1932-33 picture is altogether erroneous; the good faith of the paper in question seems to have been taken advantage of by someone, for here is what Abram F. Myers, general counsel of Allied States Association, telegraphed to Dave Barrist, Chairman of the Board of Managers of the Philadelphia exhibitor organization:

"In reference to the decision in the 'Gold-Digger' case, of course, a decision on a motion for a preliminary injunction does not go into the merits of the case. The court merely determines, first, whether there is ground for a preliminary injunction and, second, whether the disadvantage to the defendant from the granting of such an injunction would outweigh the advantages to the plaintiff. This 'weighing of the disadvantages' is without reference to the merits of the case and the *Film Daily* was in error in reporting that 'Gold-Diggers' had been declared out of the contract."

So it will be necessary for us to wait until the trial of the case is over before we can know what are the legal rights of the exhibitors in this picture; we know what their moral rights are.

As to the second weapon, they have already started picketing the Warner exchange. The picketing has not only created a sensation, but, according to information given this office, paralyzed the business of both First National and Warner Bros. in that territory. The exhibitors are showing so great a solidarity that the exchange, for all practical purposes, might just as well have been in the Sahara desert.

As to the third weapon, it is not possible to picket the Warner Theatres on "Gold-Diggers," because this picture has already been shown in every one of them, but they intend to picket them, according to my informant, when-

ever any of the eight pictures are produced and shown in these theatres. These pictures are the following:

First National: 1 Special, 1 Ruth Chatterton, 1 Robinson, and 1 Joe Brown. The first Special and the first picture of each of these stars that will be released in the 1933-34 season's group are the ones under controversy.

Warner Bros.: 1 Barbara Stanwyck, 2 Paul Muni's, and 1 Kay Francis. The first picture of Stanwyck and Francis, and the first and second Muni's that will be released among the 1933-34 season's group are under controversy.

As to the other weapons, the employment of which is contemplated by the Philadelphia exhibitors, these will be employed as soon as organization is perfected and as need for them arises.

The Philadelphia exhibitors are about to broadcast a strong appeal to the independent exhibitors of all the other states asking their wholehearted support on the ground that this is a fight that concerns the exhibitors not only of the Philadelphia zone, but also of every other zone. They have already communicated with Allied States Association for moral support and they have received information to the effect that a copy of their appeal has been dispatched to every Allied Leader.

A statement as to where HARRISON'S REPORTS stands in this controversy is hardly necessary. As to where you stand, I venture to say that you stand right where stands HARRISON'S REPORTS.

If there were ever a time when the showing of exhibitor solidarity was needed, this is the time.

If the Philadelphia exhibitors should win their objectives, the benefit will accrue to every exhibitor of the land, not only from the determination of the exhibitor rights in the nine pictures which have caused the controversy, but also from the preventing of a recurrence of such unfair tactics in the offices of every other film company. The producer-distributors will learn to respect you.

### KEEPING FAITH WITH THE PUBLIC

One of the provisions the industry hoped to see inserted into the Code was to ban the production of immoral pictures.

The producers tried to get around this all-important provision. When they were asked to insert into their Code the so-called Hays Morality Code, they balked; instead, they inserted the following meaningless provision under Article V:

"Section 1. The industry pledges its combined strength to maintain right moral standards in the production of motion pictures as a form of entertainment. To that end, the industry pledges itself to adhere to the regulations promulgated and within the industry to assure the attainment of such a purpose.

"Section 2. The industry pledges its combined strength to maintain the best standards of advertising and publicity procedure. To that end the industry pledges itself to adhere to the regulations promulgated by and within the industry to assure the attainment of such purpose."

When asked why they did not want the Hays Code made part of the NRA Code, representatives of the producers stated that they could not make pictures under it. And yet for four years they have been bamboozling the public with the "effectiveness" of a morality code which was evidently meant to be nothing but a shield behind which to hide the production of immoral, indecent, obscene and demoralizing pictures. It is apparent that the major producers are convinced that clean pictures do not pay and are doing everything they can to prevent the adoption of

(Continued on last page)



### **"Dinner At Eight" with All Star Cast** (MGM, 1933-34 Season; running time, 82 min.)

Very good entertainment for adults. Not only is the acting excellent, but the story interesting and holds one throughout. The interest at no time is focused on any one individual, but is taken up with all of the characters, shifting the attention from one to the other, though each one in some way is connected with the other. Almost every situation involving each individual character could make a story in itself, and blended together make for unusual entertainment.

Some of the situations are outstanding, as for instance the one involving John Barrymore, who portrays a broken-down passe movie actor. The death scene in which he sets about to commit suicide will stir one's emotions in a mixture of pity and contempt. It is painful to watch his collapse.

Jean Harlow and Wallace Beery are excellent as two common people, with much money and rough manners. Every time they appear there are laughs, particularly in the scene where they have a quarrel at home, and say what they think about each other.

The manner in which the different characters are brought into the story is novel: Billie Burke is giving a dinner party in honor of a lord and lady from England and the different characters are her guests. The story is made up of events preceding the dinner.

The different guests are: Marie Dressler, an old-time actress who refuses to grow old; she is excellent in this role which is different from anything she has done. Edmund Lowe and his wife Karen Morley; he is a philandering doctor and his wife, knowing this, cannot stop loving him and forgives him all his indiscretions. Wallace Beery and his wife, Jean Harlow, who were invited because of business connections; she is unfaithful to him, her latest victim being Edmund Lowe, but Beery cannot do anything about it because she threatens to give away all his crooked business dealings. John Barrymore, an old-time favorite moving picture actor, who had lost his public; he was having an affair with Billie Burke's daughter, Madge Evans, unknown to her father and mother. Lionel Barrymore, Billie Burke's husband, broken in health and worried about his shipping business, the stock of which was being bought by the unscrupulous Beery. Louise Closser Hale and her husband, Grant Mitchell, who were called in at the last minute when the titled guests sent their regrets at being unable to attend.

Other characters, too, are brought into the story; for instance, Lee Tracy, Barrymore's manager, who makes a great effort to re-establish Barrymore but is sadly disillusioned by Barrymore's ungratefulness.

In the development of the plot it is shown that eventually Barrymore's business is saved when Harlow forces Beery to give the stock back to Barrymore. She feels that she can crash into society by becoming friendly with them.

The situation in which Madge Evans finds out about Barrymore's death is pitiful. Following Dressler's advice she bears up under the strain and resigns herself to marrying Phillip Holmes, her society sweetheart.

The plot was adapted from the play by George S. Kaufman and Edna Ferber. It was directed by George Cukor. Others in the cast are Jean Hersholt, May Robson, Phoebe Foster, Elizabeth Patterson, Hilda Vaughan and Harry Beresford.

Not suitable for children, adolescents, or for Sundays.

### **"Flying Devils" with Ralph Bellamy, Eric Linden and Arline Judge** (RKO, June 30; running time, 61 min.)

The only entertainment in "Flying Devils" is provided by the thrilling aeroplane stunts and the parachute jumping, which occur at different times during the story. The plot is trite; it offers no new angles, and it is very unpleasant in some of the situations, particularly in the closing scenes where Ralph Bellamy sets out to murder Eric Linden for having won Bellamy's wife's love. The characters are seen drinking almost continuously and otherwise arouse little sympathy with the exception of Bruce Cabot who sacrifices his life for the sake of his brother:—

Ralph Bellamy runs a stunt flying circus in which he, his wife Arline Judge, and Bruce Cabot participate. Eric Linden, Cabot's younger brother, joins them and he and Arline Judge fall in love with each other. They go out in an aeroplane together and when they run short of fuel are forced to make a landing in the fog. The wheel is broken and they are stranded for the night. Bellamy finds them the

next morning and later Eric pleads with him to give Arline a divorce. He pretends to be willing to do so and suggests that Eric join him in a head-on-collision stunt from which they are to jump from their planes. He cuts Linden's parachute and when Bruce Cabot finds out about this he goes up in his plane, crashes into Bellamy and they are both killed. Linden and Arline marry.

The plot was adapted from a story by Louis Stevens. It was directed by Russell Birdwell. In the cast are Cliff Edwards, June Brewster and Frank La Rue.

Not suitable for children, adolescents, or Sundays.

### **"The Big Chance" with John Darrow** (Eagle Pictures; running time, 62½ min.)

A fairly good program picture. Although the theme is not novel, having been done many times, it holds the attention to some degree because there is human interest and comedy. In addition, the prize-fight scenes will be enjoyed by male audiences for pictures of real fights have been cleverly worked into the plot. The hero is an unsympathetic character; he participates in crooked fights, following the suggestions of his manager, so as to make easy money. His regeneration in the end wins back the audience's respect for him.

In the development of the plot the hero meets the heroine, a small town girl. She has great faith in him and even overrides her father's objections to a boxer. She is sadly disillusioned when she later finds out through her small brother, who had accidentally listened in to a conversation between the hero and his manager, that all of the hero's fights were crooked. The hero tries to explain to her that it is an easy way of making money but she will not listen to him, telling him that the only way he could win back her love is to win the championship fight. Despite the threats of his manager not to double-cross him he goes into the ring, fights hard and wins. He and the heroine are united.

The plot was adapted from a story by Mauri Grashin. It was directed by Albert Herman. In the cast are Merna Kennedy, Natalie Moorhead, and others.

Not suitable for children, adolescents, or for Sundays.

### **"This Day and Age" with Charles Bickford, Judith Allen and Richard Cromwell**

(Paramount, 1933-34 Season (Aug. 25); running time, 82 min.)

This is exciting entertainment. The story is far-fetched and even unpleasant, but it moves at such a fast pace that it holds one in tense suspense throughout, holding the interest to the very end. The situation in which the boys kidnap Charles Bickford, a racketeer, holding their own court and forcing a confession from him, is thrilling. Sensitive people might not be able to watch the way the boys torture Bickford, lowering him into a pit filled with rats. The idea behind the picture might have been good entertainment for young people but it is spoiled by several dirty situations and some rough talk. In addition, it is demoralizing, for gangsters are shown committing murders in cold-blood and then getting away with it:—

Richard Cromwell happens to come into a tailor shop run by Harry Green and sees Bickford, a racketeer, with a gun in his hand and Green dead. Green had been killed because he would not join Bickford's association to pay tribute. Cromwell's testimony does not mean anything at the trial because Bickford had such a clever lawyer that he twisted everything around. Bickford is freed. Two of the boys find a cuff link in Green's shop and sneak into Bickford's apartment in an effort to find one similar to it. Bickford finds them there, kills one of the boys, and plants the evidence so that it appears as if the other boy had committed the murder. Cromwell and his friends feel that they must take the law into their own hands. They kidnap Bickford, while Judith Allen entertains Bickford's bodyguard who thinks the girl is in love with him. The boys hold a court and so torture Bickford that he confesses to the two murders which they write down. In the meantime the racketeer's gang had found out about Bickford's plight and were rushing with machine guns to the boys' hideout. But the police, informed by Judith, arrive there in time and the entire gang is rounded up. Bickford is marched to court by the boys, and there he is indicted.

The plot was adapted from a story by Bartlett Cormack. It was directed by Cecil B. DeMille. In the cast are Eddie Nugent, Ben Alexander, Lester Arnold, Fuzzy Knight, Wade Boteler, Bradley Page, and others.

Not suitable for children, adolescents, or for Sundays.



**"Bitter Sweet"**

(*United Artists (33-34 Season) Sept. 22; run. time, 89 m.*)

This is a British picture with an all foreign cast. From a production standpoint it is one of the best pictures that have come out of England—the costuming and background are lavish, the sound and photography are good, and the acting is fairly good. It is a little too slow-paced for the American masses—many of the situations are dragged out; but for audiences who can appreciate a romantic drama, with a beautiful love affair and good music, it is a treat. There is human interest throughout, and much sympathy is felt for both the hero and the heroine, because of their devotion to each other. One situation that will stir the emotions is the death of the hero caused by his efforts to protect the heroine.

The picture opens showing the heroine as an old woman sympathizing with a young English musician. He loves a girl of a fine family who is betrothed to an English lord. She tells them her own story. She had been betrothed to an English lord but could not bear his pompous manner. Her music teacher, a young Viennese musician (hero), loved her and she loved him. The night before her marriage she eloped with him and they went to Vienna where they struggled to make a living; but they were happy. A chance meeting with an old acquaintance brought employment to the hero, as a band leader, and to the heroine, as a dancing partner, in a well known café. She attracted the attention of an army captain and although she tried hard she could not rid herself of him. She told the hero she was frightened and he promised they would go away the following day. But that night the captain tried to kiss her and the hero ran to her side and started a quarrel with him. Swords were drawn and that captain killed the hero.

The plot was adapted from the play by Noel Coward. It was directed by Herbert Wilcox. In the cast are Anne Neagle, Fernand Braavey, Esme Percy, Clifford Heatherley, and others.

Suitable for children, adolescents and for Sundays.

**"Paddy, The Next Best Thing" with Janet Gaynor and Warner Baxter**

(*Fox, 1933-34 Season (Aug. 18); running time, 75½ m.*)

Good entertainment, particularly for Janet Gaynor fans who enjoy seeing her in whimsical, mischievous roles. It has much human interest, touches of sadness, excellent comedy, and a pleasing romance. Many of the laughs are provoked by Miss Gaynor's desire to tell lies in order to romanticize on ordinary happenings in her life. She is a sympathetic character throughout and one pities her when her sister refuses to speak to her. In the first half, Walter Connelly, as the father, is responsible for much of the entertainment; he makes a wholly likable and believable character out of an impractical temperamental Irishman.

Janet Gaynor is incensed when her father forces his other daughter, Margaret Lindsay, to become engaged to Warner Baxter, a wealthy man, for she knows that Margaret is in love with Harvey Stephens. The father is so in debt that he needs money to replenish the family fortune. Janet is determined not to allow Margaret to sacrifice herself. Moreover, she feels that Baxter is too fine a man to be fooled. So she tells him why Margaret accepted him and that disrupts the engagement. But Baxter does not regret it for he had fallen in love with Janet. The sister, however, feeling that Janet had acted that way because she wanted Baxter for herself, tells her she will never speak to her. Their father dies and the sister carries out her threat. Janet goes to Dublin to live with an uncle and to work in his chemist shop. Their home is sold at auction and Janet tearfully parts from her treasures. Baxter follows her but she refuses to talk to him. A year later he again comes to see her, and tells her that Margaret is married to Harvey. It is then that she accepts him. Baxter had bought back her old home for her, and there is a happy reconciliation between the two sisters.

The plot was adapted from a story by Gertrude Page and directed by Harry Lachman. Others in the cast are Joseph M. Kerrigan, Fiske O'Hara, and Claire McDowell.

Excellent for children, adolescents, and for Sundays.

**"Turn Back the Clock" with Lee Tracy**

(*MGM, Aug. 25; running time, 79 min.*)

A fairly good entertainment. The theme is somewhat novel; it holds the interest fairly well throughout. The story is really a dream that is had by Lee Tracy when he is under ether, living his life over again. He thus knows in advance what will happen. There are some good comedy

situations when he acts in a modern way in an old-fashioned setting, using modern slang in an age when such slang had not yet been coined. The thing that prevents it from being a really good picture is that one does not have real deep sympathy for Tracy. His actions are motivated entirely by a desire for money and he displays no fine instincts. Most of the sympathy is won by Mae Clarke as the devoted wife who looks for peace instead of wealth in life:—

Lee Tracy had been married to Mae Clarke for twenty years when he meets Otto Kruger, an old-time friend, who had become a wealthy banker. Kruger suggests that he give him whatever money he had saved so that he might invest it and make a small fortune for him. But Mae Clarke objects to this, for she is unwilling to gamble with their savings. Tracy, in a fit of anger, goes into the street in a drunken condition. He is hit by an automobile and taken to a hospital for an operation. While under the influence of ether he dreams he is back in his old home town, a young man again. This time, instead of marrying Mae Clarke, he marries Peggy Shannon, daughter of a wealthy man. Knowing in advance everything that is going to happen he becomes a great political and financial figure; but he is unhappy. His wife is unfaithful and money does not bring the happiness that he thought it would. As a matter of fact, it brings about his ruin. He is very happy when he, awakening from the ether, finds it was all a dream and that Mae Clarke is his wife. He is cured of his great desire for wealth.

The plot was adapted from a story by Edgar Selwyn and Ben Hecht. It was directed by Edgar Selwyn.

Not suitable for children, adolescents or Sundays.

**WHAT FRIENDLY CONGRESSMEN SAID ON THE RULE DEBATE OF THE SIROVICH RESOLUTION**

(*Concluded from the July 15 issue*)

O'Malley—Wisconsin (Continued): "... Why, gentlemen, I feel sure that this Congress has the courage to authorize this investigation—and I hope it will have, in spite of the threats, intimidations, and activities of the powerful lobby attempting to prevent it—that this committee, when created, will show the American public that the Motion Picture Trust and its lobby has even had the temerity to enter under the roof of this Capitol and endeavor to subsidize public officials right here in the city of Washington. ...

"... I hope that every member here will challenge the boast and dare of these 'archracketeers' of business that they have been able to prevent every investigation of their activities ever proposed and will support this resolution. Its passage is the first step in tearing the lid off the motion-picture monopoly, and will enable Congress in the next session to pass laws that will help the States and the Governmental departments charged with the enforcement of the law to correct the abuses which have existed in the industry for more than a decade.

"The motion-picture lobby and the powerful influences back of them protecting certain big companies in the violation of the antitrust laws and their violation of the American public code of decency have issued a direct challenge to this House. They have attempted and are attempting to prevent and forestall this investigation; to inject everything but reason in their arguments, which certainly proves that if they were clean and able to face public opinion, they would not now be seeking by every means, fair and foul, to defeat this resolution. ..."

(*The End*)

**A CORRECTION**

In listing the major companies in accordance with the box office performances of their 1932-33 pictures in the last table in the editorial of the June 29 issue, inadvertently I omitted the name and percentage of Columbia.

In accordance with the facts given in the third table, the percentage of its good pictures to its bad pictures is 25%. This places Columbia eighth on the list.

Warner Bros. Pictures.....	56%
First National Pictures.....	56%
Paramount .....	50%
Universal .....	47%
Metro-Goldwyn-Mayer .....	34%
Fox Film Corporation.....	27%
RKO (Radio Pictures) .....	27%
Columbia .....	25%
United Artists .....	22%



standards that will restrict them in the production of such pictures.

Though on the one hand we have producers dodging the issue and making frantic efforts to keep at a distance restrictions on the production of pictures, we have on the other hand exhibitors keeping faith with the public, the friendship and good will of which they are so desirous of retaining. There is not an exhibitor in towns of anywhere from 100,000 inhabitants down and in the neighborhoods of the big cities but feels that the obscene pictures have done more to diminish attendance to the moving picture theatres than the depression. And the evidence of it is, as they point out, that whenever a good clean picture comes along the picture-going public flock to see it.

The exhibitors on the Code committee inserted into the Code the following provision under Article 19:

#### "PICTURES VIOLATING PRODUCTION CODE"

"No exhibitor shall exhibit, or be required to exhibit, or pay for any motion picture which is declared to be contrary to and violative of the standards and requirements of the production code of the Motion Picture Producers and Distributors of America, Inc., and the resolutions for uniform interpretations of said code or codes, or any amendments, revision or subsequent promulgation of said code.

"The determination of the question whether any picture is violative of said code or codes shall rest with the National Appeal Board or other duly constituted industry authority."

Under Article 20, they have inserted the following provision:

#### "ADVERTISING CODE"

"(1) No exhibitor shall in advertising motion pictures violate the following rules of decency and good taste:

"(a) Nudity with meretricious purpose shall not be used.

"(b) Profanity shall be avoided.

"(c) No false or misleading statements shall be used directly or implied by type arrangements or by distorted quotations."

Subdivisions (d), and (e) forbid the ridicule of religion, clerical garb, history and institutions of any nationals, officers of the law. (g) prescribes that good taste shall be the standard in motion picture advertisements.

The violation of any of these is laid at the door of the distributor when it is done as a result of advertising and publicity matter furnished to the exhibitor by him. Such a violation is to be determined by the National Appeal Board, or by any other duly constituted industry authority.

The exhibitors hope that these two provisions will be adopted by the NRA Code Administration. If the producers should again put forward the objection that they cannot produce pictures under the code given to the American public by themselves four years ago, then they must say under what code provisions they can stop production of filthy and demoralizing pictures. The picture theatre owners have tired of being the victims. They are the ones who come in contact with the public and they are the ones who are frequently blamed for the filth in pictures. They assert that their businesses have been ruined because of the obscene pictures produced so far, which are becoming more so, and want that an end be put to the production of them.

The provision that has been inserted by the producers in their part of the industry code is purely tricky; it has been designed, no doubt, to fool the public and perpetuate the present conditions. "The industry," says the producer provision, "pledges its combined strength to maintain right moral standards in the production of motion pictures as a form of entertainment." They have made such pledges so many times in the last ten years that no one takes the producer pledges seriously any more. What the exhibitors and the public want is not pledges but a provision in the code making such pictures as "Temple Drake" and "Miss Lonelyhearts" impossible. The exhibitors do not want them because they not only prove box office failures, but outrage the sense of decency. And the public does not want them. The fact that it did not flock to see "Temple Drake" is the best proof of it.

The exhibitors want the Hays morality code inserted into the Industry Code. They want this and not the producer substitute; they want the rules and regulations laid down by the head of their own organization, Will H. Hays, to be the standards for cleaner and better pictures.

Write immediately to Mr. Sol A. Rosenblatt, Deputy Administrator of NRA, Room 4225 Commerce Bldg., Washington, D.C., and urge him to make the Hays code part of the industry code.

### SLOGANS ON THE BANNERS OF PICKETS PARADING BEFORE THE PHILADELPHIA EXCHANGES

The following are the slogans that are carried on the banners of the pickets parading up and down Vine Street, in Philadelphia, where are all the exchanges, including the Warner Exchange.

"When you walk down Vine Street, do your fellow-exhibitors say: 'There goes a regular guy'? or 'There goes a Strike Breaker'? Don't sell out the men who are battling against extortionate film rentals."

"We're fighting *your* fight for lower film rentals. Don't sell us out by paying 50% for any picture. Don't be a strike breaker!"

"Fifty per cent for a picture in one exchange means 50% for pictures in other exchanges. Support the strike against crazy film rentals."

"Any exhibitor who pays 50% for a picture is betraying the men who are warring against extortionate film rentals. Don't be a strike breaker!"

"Don't patronize any 50% exchanges. They are unfair to the independent exhibitor."

The banners are signed by the organization.

### WAS DARRYL ZANUCK THE WARNER BROS. WATER BOY?

When Darryl Zanuck broke with Warner Bros., and announced that he made a deal with Joe Schenck whereby United Artists undertook to release the pictures he was going to produce for the 1933-34 season, the trade press made much fuss over him. For days and days here was a discussion as to whether Zanuck was or was not responsible for the production of the Warner successes last season, the majority opinion inclining to give him credit for them.

HARRISON'S REPORTS had formed no opinion; pictures at the large studios are the product of a combination of talents, and it felt that no one far away from the studio could determine, and that Zanuck's ability could be demonstrated only after he made several pictures on his own.

Since good pictures depend by about ninety percent on good story material, the ability of Darryl Zanuck to select such material would be the best proof of his ability to make good pictures.

United Artists has just announced its 1933-34 program. This includes also the Twentieth Century Pictures (Darryl Zanuck's) releases.

Among the Twentieth Century releases contained in the Work Sheet, only two are founded on novels: "The Great Barnum," and "Miss Lonelyhearts."

"The Great Barnum" is an autobiography of P. T. Barnum, and the material, like all biographical material, is poor. There is no nucleus in it for a dramatic picture.

As far as "Miss Lonelyhearts" is concerned, I believe that what was said in an editorial last week should be enough to convince you that no entertaining picture can be made out of it unless it is discarded in its entirety and a brand new story is written around the title. I may add that it is the lowest, vilest, filthiest book that I have ever read. Altering it radically will not help matters much, for the picture will increase the circulation of the book and the industry will be bespattered with mud thereby. And the Lord help the industry from the wrath of the newspaper people.

Since the two books Darryl Zanuck has announced for production are the worst any new producer could have selected, I now wonder whether he was the water boy for the Warner Bros., instead of the great genius, responsible for the good Warner Bros. pictures, he was painted by the trade papers!

I am glad that Zanuck has given us an opportunity to look into his picture producing ability before the United Artists sales campaign got fully under way, for without this proof my mind staggers when I think what would have happened to you if you had been made to believe that you could not conduct your theatre profitably this year without Zanuck's pictures.



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### Have The Producers Abandoned Their Old Tactics?

In the letter sent by Sidney R. Kent to NRA Deputy Administrator Mr. Sol A. Rosenblatt, there is contained the following:

"Articles XLVII, XLVIII, XLIX, L, LI, LII, LIII: These articles have not yet been submitted to the Exhibitors' Committee. . . ."

I wonder whether many of you have taken the trouble to study the significance of this paragraph! To understand it thoroughly, it is necessary that you read and study the articles referred to. Let us look into them.

Article XLVII reads as follows: "A National Board of Appeals constituted as in this Article provided shall consist of either (a) four unaffiliated exhibitors, two distributor representatives, and two affiliated circuit representatives, or (b) two unaffiliated exhibitors, one distributor representatives and one affiliated circuit representative, chosen by a fair method of selection."

Let us now skip article XLVII, which deals with the score charge, and dwell on article XLIX; it reads as follows:

"A MOTION PICTURE CODE NATIONAL AUTHORITY constituted as in this article provided and herein referred to as the 'Code Authority' shall be the agency for the administration of this Code, other than such agencies named herein to perform definite functions, and shall have such powers as shall be necessary therefore, together with such powers and duties as herein prescribed.

"The Code authority shall be chosen by a fair method of selection and approved by the Administrator, and be constituted as follows:

"Four representatives of producers; four representatives of distributors; four representatives of exhibitors, the two coordinators appointed by the Administrator and not more than three representatives without vote, appointed by the Administrator.

"The Code Authority shall organize by the selection of such officers and advisers as it may deem proper and necessary.

"The Code Authority shall be empowered to assist the Administrator in administering and supervising the observance of this Code by the several divisions of the industry. The Code Authority may make investigations as to the functioning and observance of any of the provisions of this Code at its own instance or on the complaint of any person affected and report the same together with its recommendations or findings to the Administrator. The Code Authority shall to such extent and in such manner as may seem most useful utilize the facilities of all existing national, regional and local trade associations in the industry."

The other articles are not important; so we shall omit discussion on them.

Notice that the Code Authority is the key to the entire Code; its functions are so important that he who exerts an influence over it is the supreme authority.

Knowing this, the producers have provided that the constitution of this important body shall be four producers, four distributors, and four exhibitors. In other words, there shall be a division of eight to four; and if we should take into consideration that the producers would claim the right of representation to MPTOA, which they support financially, by at least two members, the vote of the board would be practically ten producer representatives to two independent exhibitor representatives.

Now, in order to throw dust into the eyes of the independent exhibitors, they made Article XLVII

appear fair; this article provides that the National Board of Appeals shall consist of half producer-distributor representatives, including affiliated circuits, and half independent exhibitor representatives. But the National Appeal Board is not the governing body; that function rests with the Code Authority. They tried to throw dust into the exhibitors' eyes also in the selection of this body, for the provision states that the Code Authority shall be chosen by a "fair method of selection," but says nothing about the unfair representation they tried to give the exhibitors.

Here is another thing that they tried to put over on the exhibitors: The last few lines of Article XLIX read as follows: "The Code Authority shall to such extent and in such manner as may seem most useful utilize the facilities of all existing national, regional and local trade associations in the industry." In other words, the producers subtly attempted to legalize the film boards of trade. Here is a Government which is attempting to bring back prosperity to the people of this country by compelling every one of us to do the fair thing by the other and the producers are trying to slip over on the rest of us, for the enforcing of the provisions of the NRA Code, a body they control.

Is it clear to you now why the Kent letter states that these Articles had not been submitted to the exhibitor representatives at the time Mr. Kent was submitting the Code to the Administrator? Do you think that, if they had submitted them, the exhibitor representatives would have consented to have such an unequal representation on the Code Authority?

It should be manifest to any person endowed with an ounce of intelligence that the producers tried to slip something over on the exhibitors, for when the producer Code had been submitted to the Administrator the committee had been disbanded. Even the Continuing Committee, consisting of four exhibitor representatives and four producer-distributor representatives, had broken up, the intention being to meet at Washington in due time. There was no way by which these articles could have been submitted to the joint committee.

Have the exhibitor committee members submitted to this political manipulation?

Reading the exhibitor code we find the following referring to the constitution of such a body under Article 39:

"The exhibiting branch of the industry records its view that the National Control Board should be fairly balanced between the several economic divisions of the industry, with voting representatives to be named by the Government." It is a simple but significant provision, for it trusts the Government to protect the interests of the independent theatre owners; and since the NRA has been conceived for the purpose of teaching ethics to people who have never learned the true meaning of the word, you may rest assured that your interests will be protected.

There is just one deduction one makes out of the action of the producers during the code conferences, that they have not yet waked up to realize that they can no longer rule the industry with the iron hand they ruled it for several years. In Washington there is no longer an administration they can control politically. Its place has been taken by an administration that is inspired by the sincerest of motives, and which is exerting the sincerest efforts to bring prosperity back not to the few, but to the entire people of the United States. And because the producers have not yet realized this, many disappointments await them.



### "Broadway to Hollywood" with Alice Brady and Frank Morgan

(MGM, Sept. 15; running time, 88 min.)

Excellent entertainment for the masses. It is a backstage comedy-drama, abounding with human interest. The story revolves around three generations of a certain theatrical family and has been done with realism and in an honest manner showing the allure and the heartaches of the profession. Much sympathy is aroused for its leading characters—Alice Brady and Frank Morgan—the first of the line of actors. They both give excellent performances, holding the interest of the spectator in everything they say and do. Tears and laughs are intermingled in the story, and some of the situations are very stirring, as for instance the one in which Madge Evans kills herself. The situations in which Frank Morgan and Alice Brady find they are no longer favorites will, too, stir the emotions. It is somewhat different from the recent run of backstage features in that it confines itself more to story than to elaborateness.

The action revolves around the life of Alice Brady and Frank Morgan, husband and wife, who are vaudeville favorites. They soon take their young son into the act, and when he grows older he is the mainstay of the act, a fact which Morgan refuses to believe. He soon meets Madge Evans, a dancer, and falls in love with her. They marry and he leaves his folks to join Madge as her dancing partner in a play in New York. After a few years of married life, during which time a son had been born to them, Madge finds out that he is having affairs with other women and not being able to stand the humiliation of it kills herself. Her husband is grief-stricken for he had loved only her. He turns into a drunkard and turns his child over to his parents. He later goes to war and is killed. Alice Brady and Frank Morgan raise their grandchild in the theatre and he soon joins them in their act. As the years roll by motion pictures become the fad and they find it difficult to secure bookings. The grandson, Eddie Quillan, goes to Hollywood and becomes a sensation in pictures. He brings his grandparents out there, and Morgan takes the boy in hand. He had been drinking too much and leading a wild life and he needed a guiding hand. While watching Eddie make a picture Morgan dies and his wife is the only one to notice it. But being a good trouser she is forced to keep quiet so as not to disrupt the filming of the picture.

The plot was adapted from a story by Willard Mack and Edgar A. Woolf. It was directed by Willard Mack. In the cast are Russel Hardie, Mickey Rooney, Jimmy Durante, Fay Templeton, May Robson, and others.

Because of the several references to affairs with women it is unsuitable for children, adolescents, and for Sundays.

### "One Sunday Afternoon" with Gary Cooper and Fay Wray

(Paramount, 1933-34 (Sept. 1); running time, 68 min.)

A fairly good human interest story. The action is slow and parts of it are dragged out; but it will appeal to most audiences because of the sympathy they will feel for the hero, and particularly for the heroine. In adapting it from the stage play, some of its effectiveness has been lost because the most exciting situations have been hurried over and the least effective ones have been dragged out. In addition, Gary Cooper does not seem to fit the part of the hero; his performance lacks color. The old fashioned background and costumes will bring about some laughs. Some of the situations are deeply pathetic; as for instance the one in which the hero learns that the girl he loved married some one else; also the situation in which the hero and the heroine meet after his absence of two years during which time he was in prison. To those audiences who have not seen the stage play, the closing scenes will come as a pleasant surprise:—

The hero is in love with the town belle. But she is a flirt and is aiming to marry his friend who has possibilities of becoming a wealthy man. The heroine adores the hero and tries to interest him, but in vain. The belle marries the hero's friend, without even telling the hero about her plans. The heroine, in order to spare the hero the taunts of the town people, tells them she is engaged to the hero and that he did not care about the belle. They marry and are happy but he cannot completely forget the belle. His friend returns with the belle to

the town to take charge of a factory and tries to impress the hero with his position. He wants the hero to act as a spy for him which he resents. One day a quarrel starts, a gun is drawn by the watchman which the hero tries to grab, and the watchman is slightly injured. The hero is sent to prison for two years, but during that time the heroine works hard and sends him books to continue his studies of dentistry. He comes back after his term had been served, continues with his studies and becomes a dentist. Several years later his friend returns to the town again with his wife. He has to have a tooth extracted and the hero gives him gas. The hero feels that now he will pay him back for all the wrong he had done him. But the friend's wife comes in and when the hero sees her he is completely disillusioned for she is bold, coarse and vulgar. He is glad when they both leave and happy that he is married to the heroine.

The plot was adapted from the play by James Hagan. It was directed by Stephen Roberts. In the cast are Fay Wray, Frances Fuller, Neil Hamilton, Roscoe Karns and others.

Suitable for children, adolescents, and for Sundays.

### "Reform Girl" with Noel Francis and Skeets Gallagher

(Tower Productions; running time, 65 min.)

Just a moderately interesting program grade picture. The heroine, until the closing scenes, is an unsympathetic character because she becomes involved in a plot to harm two people who were kind to her. In addition, the story centers around crooked politicians and is somewhat demoralizing. The fact that the heroine changes her tactics in the closing scenes wins a little sympathy for her. Also the closing scenes are fairly exciting—the heroine escapes from the gangsters in time to reach a meeting and expose them.

In the development of the plot the heroine enters into a scheme to pose as the long lost daughter of a man who was running for Governor, in order to frame him. The candidate and his wife are so kind to her and show her so much affection that she becomes conscience-stricken and tries not to go through with the scheme. But she is threatened by the gangster leader and is forced to call the candidate that she is ill and gives him a certain address where he could find her. When he arrives there he is framed with another woman. He demands that a meeting be called so that he might explain the facts to the people. In the meantime the heroine was being held as a prisoner by the gangster. With the help of a pal she escapes and reaches the meeting in time to expose the candidate's enemies. She is shot at but the wound is not serious. It develops that she really is the daughter of the candidate, and had been kidnapped when just a child.

The plot was adapted from a story by George W. Sayre. It was directed by Sam Newfield. In the cast are Hale Hamilton, Dorothy Peterson, Robert Ellis and Dewitt Jennings.

Not suitable for children, adolescents, or for Sundays.

### "Easy Millions" with Skeets Gallagher

(Monarch Productions; running time, 56 min.)

Just a moderately amusing program grade comedy. The story is rather silly, but during the first half it provokes some laughs. The second half is somewhat slapstick, with one particularly ridiculous situation in which three girls have a hair-pulling fight amongst themselves, each one claiming the same man. Because of the silliness of the story there is little human interest.

In the development of the plot the hero, in an effort to rid himself of a man who wanted him to take a position in his office, tells the man he had inherited a fortune. The news soon spreads that the hero is a millionaire and two girls attach themselves to him, announcing that they are engaged to him. But the heroine, with whom he really was in love, is angry at him for having become involved with the other girls, and she will not speak to him. Eventually, after a hectic time in which the girls all meet, everything is straightened out; the hero and the heroine are united.

The plot was adapted from a story by Edgar Franklin. It was directed by Fred Newmeyer. In the cast are Johnny Arthur, Merna Kennedy, Dorothy Burgess, Noah Beery, Pauline Garon, and others.

Not suitable for children, adolescents, or for Sundays.



### "Goodbye Again" with Warren William and Joan Blondell

(First National, Sept. 9; running time, 65 min.)

A fairly good comedy for adults, and at that of the more sophisticated type. It is fast moving, but the comedy is risqué and suggestive, and at times the talk is vulgar. Since the characters are not the kind that arouse sympathy there isn't much human interest. It is rather nonsensical comedy, but it provides enough laughs to make it amusing and hold the interest:—

The hero, an author, and the heroine, his secretary, are lovers. While on a lecture tour he meets an old college flame and she, being a romanticist, imagines that she was the inspiration of all his novels and that he never forgot her. He feels he should disillusion her, but at the same time finds her quite charming and so he has an affair with her. Her husband, a plain sort of business man, had been nagged all during their married life; he was always being compared with the hero and came out the worst for it. The wife's sister and her fiancé, fearing that the wife might do something rash, try to induce the hero to leave town. In the meantime, the heroine is disgusted with the hero's behaviour and tells him so. The hero leaves town with the heroine but the wife follows him and spends the night with him in his compartment. She leaves the train before her husband and the rest of the family can find her but they all meet at the hero's hotel. The husband is willing to arrange for a divorce but that is not what the hero wants, for he loves the heroine. The heroine at first leaves him to struggle through the mess himself but feels sorry for him and so takes the matter of disillusioning the wife into her hands and succeeds so well that the wife is glad to go back home with her husband. She eventually forgives the hero for his escapade.

The plot was adapted from the play by George Haight and Allan Scott. It was directed by Michael Curtiz. In the cast are Genevieve Tobin, Helen Chandler, Ruth Donnelly, Wallace Ford, Hugh Herbert, Hobart Cavanaugh, and others.

Unsuitable for children, adolescents, or Sundays.

### "One Man's Journey" with Lionel Barrymore

(RKO, 1933-34 (Sept. 15); running time, 71 min.)

Fairly good entertainment; it has much human interest and several of the situations have strong emotional appeal. One is where Lionel Barrymore, a plain country doctor, is honored at a dinner by medical men of international repute and he is completely overwhelmed. Another striking situation is where Miriam Jordan is awakened by her child from a state of coma when the child pats her and sings to her. The theme is simple—it deals with a small country doctor and his limited practice; a man with nobility of soul, who sacrifices career and wealth to help the poor both spiritually and medically knowing that they cannot pay him in dollars for the work he is doing. The background is a small country town, with its comedy and drabness. It will hold the interest of any spectator with humane instincts, even though the action at times is a bit slow:—

Lionel Barrymore settles with his child in a small country town, and although his practice is not lucrative he enjoys doing things for people. At the delivery of a child the mother dies and the father is so angry that he puts Barrymore out of the house with the baby. Barrymore, with the help of May Robson who had come to take charge of his home, raise the two children and when the girl is about five years old her father, contrite, comes to beg Barrymore to give her back to him. Barrymore does and never loses his love for the girl (Miriam Jordan). His son grows up to manhood and studies medicine. While at the hospital where his son is interning Barrymore meets a famous physician and agrees to go to New York to study and work with this man. On the day that he is to leave for New York Miriam comes to his office and tells him she is going to have a baby but cannot go begging her sweetheart to marry her. Barrymore goes to plead with the boy's father and while he is away Miriam takes poison. He refuses to leave her, misses his train and his chance of a career, but nurses her back to health. She marries her sweetheart eventually and has two children. She becomes seriously ill, is operated on, but somehow or other does not come around. The doctors give up her

case but Barrymore knows it is something personal and brings her back by putting her child and husband near her. The husband, who had been having an affair with another woman, begs to be forgiven. Barrymore is invited to a dinner given for the eminent physician and while there is toasted by the physician himself who lauds him for the marvelous, humane work he is doing. His son joins with the others. Eventually his son marries Frances Dee, who wants him to follow in his father's footsteps.

The plot was adapted from a story by Katharine H. Taylor. It was directed by John Robertson. In the cast are Joel McCrea, David Landau, James Bush, Buster Phelps and Oscar Apfel.

Not suitable for children, adolescents, or for Sundays.

### PETTITJOHN AGAIN ACTIVE IN POLITICAL MANIPULATIONS

Recently C. C. Pettijohn of the Hays office sent instructions to the different film boards to call on each independent exchangeman asking him to sign a proxy authorizing him to represent said exchangeman at the Code hearing on September 12. The proxy reads as follows:

"1. Do you favor the inclusion in the Industry Code of Article 37, thereof, printed in the *Film Daily*, August 24, 1933, on Page 15, and providing Film Boards of Trade throughout the United States shall continue their operations as local distributor associations?

"2. Are you a member of any Film Board of Trade? If so, state name of such Board.

"3. Are you a member of any other association of distributors or producers, national or local? If so, please state same.

"4. Have you authorized any person or association to represent you at the hearing upon the Industry Code in Washington on September 12? If so, please state name of such person or association.

"5. C. C. Pettijohn will, at the hearing upon the Industry Code, represent the Film Boards of Trade, as such. If you authorize him to personally represent you in such regard, please indicate.

"The undersigned authorizes C. C. Pettijohn to represent the undersigned at the hearing on September 12, 1933, upon the Motion Picture Industry Code, before the Administration under the National Recovery Act, and to favor the continuation of Film Boards of Trade throughout the United States."

Notice how the proxy is worded! On the face of it it seeks authorization from the different independent exchange men to permit Pettijohn to represent them at the Code hearing. But as a matter of fact Pettijohn seeks information whether the particular exchanges belong to the Federation or not, so that he might use his regular methods on them. For the Federation is the only other national distributor association in existence.

That the Hays association is desirous of finding out who among the exchanges belong to the Federation is evidenced from the fact that a Hays representative tried very hard but unsuccessfully to obtain the information from a representative of the Federation.

The major producers seem to be fighting with their backs against the wall. It is the first time in their lives that they have found themselves in such a predicament. They know that the Government is now having a hand in the affairs of the motion picture industry and that this means the end of all political manipulation.

Is there any connection between Pettijohn's and Kuykendal's efforts?

### SUPPLEMENTAL INFORMATION

In the issue of August 16, under the heading, "DIRTY PICTURES AND THE NEWSPAPER PEOPLE," I printed a resolution passed by newspaper people at Syracuse, this state, on August 18. In that article, I stated that this resolution was passed by the Movie Advertising Committee of the New York State Publishers Association. The fact of the matter is that the resolution was proposed by the Movie Committee but was passed unanimously by a large group of New York State publishers who were present.

I am supplementing this information because a greater weight is added to the resolution thereby.



## DON'T LOSE YOUR SENSE OF HUMOR

Ed Kuykendall, president of Motion Picture Theatre Owners of America, has sent many independent exhibitors letters asking them to designate him as their representative at the Code hearing in Washington on September 12. "It is not necessary to give me power to make decisions, etc. for you," the letter states. "Just state in your letter that I am representing your organization and also state in the letter the number of theatres involved and the money invested, approximately and in a lump sum. In case of an argument with those opposed to certain clauses in the Code, I want to be able to show them I am representing a large number of theatres that are not actual members of the M. P. T. O. A."

In view of the fact that, during the Code Conferences held in New York City recently on orders of the Code administration, Ed Kuykendall voted with the producer controlled theatre representatives on every major problem that affected the independent exhibitor interests vitally, he certainly shows gall when he asks independent theatre owners to designate him as their representative.

If you should really do anything in this matter you should write to Mr. Sol A. Rosenblatt, Deputy Administrator of the NRA, Room 4225 Commerce Bldg., Washington, D. C., informing him that Mr. Kuykendall does not represent independent theatre owner interests.

## FIGHT AGAINST DAYLIGHT SAVING

It is difficult to compute the millions that have been lost to theatres as a result of the Daylight Saving Law wherever this exists.

Attempts of exhibitors to fight this law were frustrated by the argument that it was beneficial to the laboring classes in that it made it possible for them to have some recreation in the sunlight.

With the reduction of the working hours as a result of the NRA, such an argument cannot be propounded with success any longer.

I am reproducing the resolution the Philadelphia exhibitor organization has passed, making a few modifications so that it may suit the requirements of exhibitors everywhere. A copy of this resolution could be sent by each exhibitor to his city council, or to his state legislature:

"WHEREAS, The object for which the Daylight Saving Law was adopted was to enable the working people to have part of their recreation during daylight;

"WHEREAS, The NRA, by reducing the working hours decidedly, is accomplishing the same object without the aid of this law;

"WHEREAS, The Daylight Saving Law now in force in this city (or State) is working a great hardship, not only on the moving picture theatre owners, but on the picture-goers themselves, by making it difficult for them to have a recreation in a moving picture theatre without depriving themselves of full rest at night; and

"WHEREAS, The standard time now can be restored without any hardship on any worker; therefore, be it

"Resolved, That we, the undersigned, petition our City Council (or our Legislature) to restore standard astronomical time by repealing the Daylight Saving Law, thereby removing the heavy burden the motion picture theatres have been compelled to carry during the operation of said law, thus enabling such theatres to contribute a greater share toward the return of prosperity."

HOLLYWOOD, CALIF.

August 29, 1933.

Mr. P. S. Harrison, Publisher,  
HARRISON FORECASTER,  
1440 Broadway,  
New York City.

My dear Mr. Harrison:

In a recent issue of your "Forecaster," you published what purported to be a pre-view of my picture, "Miss Lonelyhearts." Of course you were summarizing the book, and understood that the picture would in no way resemble the novel. Unfortunately, this fact was not mentioned in your discussion, and it is bound to do us great harm with exhibitors.

I recognize that the "Forecaster" makes a serious and conscientious effort to provide exhibitors with accurate information. For that reason I think you will be glad to correct this impression.

The film version of "Miss Lonelyhearts" is in no way neurotic, nor has it any psychopathic implication. All that remains of the book is the title and the basic situation of a reporter who unwillingly writes an Advice-to-the-Lovelorn column. The scenario, wholly conceived in the mind of Leonard Praskins, is bright, sparkling and harmless, full of humor rather than pornography, and is typical of the kind of stories in which Lee Tracy has been appearing.

Unless the review of the book is corrected it will do great harm and an injustice not only to us, but to Lee Tracy, who was borrowed from M-G-M. That company certainly would not have loaned us its star, had it not been assured that the story was inoffensive.

Knowing you as a writer who not only tries always to be fair and impartial, but also as one whose word is important in the industry, I am sure that you will be eager to present the straight facts of this matter.

Sincerely,

DARRYL ZANUCK

New York, N. Y.  
September 5, 1933.

Mr. Darryl F. Zanuck,  
Twentieth Century Pictures, Inc.,  
1041 No. Formosa,  
Hollywood, California.

Dear Mr. Zanuck:

Your statement to the effect that the forecast of "Miss Lonelyhearts" which appeared in the Special Section of the Forecaster is a "pre-view" of your picture is not correct; it is merely an expression of opinion on the material.

In your letter to me you say that you have altered the material radically, retaining practically nothing but the title, and that the scenario is now bright, sparkling and harmless, full of humor rather than of pornography. It is the opinion of many of those who have read that forecast that nothing that you can do can take the stench out of the material.

There is no patent or copyright on the use of a columnist as the central character of a moving picture and since you have retained nothing of the book except the idea it is hard for you to avoid the accusation of having used this book as a basis for your moving picture in order to profit out of whatever notoriety the book has attained.

In publishing a somewhat extended synopsis of the book, my object was to bring pressure upon you to abandon production of it, for I felt that great harm would result to the motion picture industry. I have mailed a copy of that synopsis with a strong appeal to every daily newspaper in the United States and to every newspaper association. I took such a step not only because of the vileness of the book, but also because it casts discredit upon the newspaper profession.

I don't know how successful you will be in growing a rose in mud. Mr. Adolph Zukor tried it when he produced "Sanctuary," and failed. But even though you may be successful the harm that will eventually result to the motion picture industry including to your own interests will be out of proportion to the profits.

Production of the book will naturally create a demand for it in the libraries as well as the book stores and the motion picture industry will be accused of being a purveyor of obscene literature.

There was some excuse—a slight one—in the case of Mr. Zukor, because he was not on the spot and he had to take the word of his studio executives, who showed poor judgment. But there is no excuse in your case because you are the one responsible for the selection of "Miss Lonelyhearts."

In making this appeal to you to abandon production of this book, I believe that I am serving your interests as much as the interests of the entire motion picture industry. You are just starting on your own and it will be ill-serving your own interests to slight the newspapers, which have done so much for the industry. They have fought for us in the legislative halls and everywhere, and it will be showing great ingratitude if you, contrary to the many promises the industry has made to them not to put into pictures any material that casts discredit upon their profession, were to go ahead and produce it.

Very sincerely yours,

P. S. HARRISON



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## A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

September 16, 1933

SATURDAY, SEPTEMBER 16, 1933

No. 37

### THE CODE HEARING IN WASHINGTON

I came back from Washington last night (Thursday) for the purpose of putting out this issue.

At the time I left Washington, the independent exhibitor and distributor representatives had already spoken and there remained only the producer-distributor representatives to speak; Mr. Nathan Burkan, from their side, had already spoken.

Excellent care of the independent exhibitor interests was taken, the outstanding light among them being Mr. Abram F. Meyers, chairman of the Board of Directors of Allied States Association; and the same care was taken of the independent producer-distributor interests by Mr. Jacob Schechter, counsel for the Federation of the Motion Picture Industry of America. As group representatives, in fact, these two attorneys stood out far above those of the opposition and of allied trades groups; both received the congratulations of their adherents and of others not opposed to the causes they represented.

Mr. Myers concentrated his strongest arguments on the exhibitor's right to buy film of any "run." He first explained to the Administrator what this method of purchasing film means; he then gave the history of the provision in the exhibitor committee, dwelling upon the limitation of the distributors' right to choose their customers, recommending that, since the principle of such rights has been recognized by the distributors, means should be adopted for the purpose of giving effect to it. "Unlike many causes of conflict between the two economic divisions of the industry," Mr. Myers said [meaning the producer-distributor-exhibitors and the independent exhibitors], "there is no dispute over the principle of the right to buy. This principle is expressly recognized in both the producer-distributor and the M. P. T. O. A.-Affiliated proposals. The adoption of this principle is an admission that an evil exists and in this situation the Administrator will not permit reform measures to be defeated by differences of opinion over the means to be employed."

In explaining to the Administrator what "The Right to Buy," as understood by the independent exhibitors, means, Mr. Myers said:

"'The Right to Buy' is not, as suggested by the representatives of the affiliated theatres, a slogan coined for this occasion. The motion picture business is the only one in the world in which persons who are willing and able to buy products they desire and need are denied the right to do so. . . .

"The denial of this fundamental right came about as a result of the invasion of the field of exhibition by the producer-distributors and the building up of their powerful circuits. The producer-distributors quite naturally wanted to give their own theatres first run of their product. This gave their theatres a distinct advantage over competing theatres. Each producer-distributor then found that the other producer-distributors had built or acquired theatres. This resulted in certain so-called master contracts between the leading producers in which each granted to the others the first run of the product. . . .

"This tying up of the first runs obtains in many territories without regard to such master contracts because one or the other of the major circuits so predominates that it is able to dictate to the exchanges not merely which theatres shall have prior runs but also what protection or clearance such theatres shall enjoy over the subsequent runs. . . .

"This straightjacketing of a great industry not only is contrary to sound business but also to the declared public policy of the nation. Under it, the independent exhibitors having the best theatres in their communities, and able and willing to pay a higher film rental than any other theatres

in their respective territories can pay, nevertheless are denied the right to buy pictures for first runs and are relegated to a subsequent run status subject to protection in favor of the first run houses.

"The granting of the right to buy will restore healthy competitive conditions in the motion picture business; it will increase the net returns to the producer-distributors for their pictures; it will revive interest, effort and sportsmanship among exhibitors and will result in increased employment and enlarged outlays for promotional activities and exploitation, especially advertising."

For your information, the acceptance by the producers and distributors of the principle of the exhibitor's right to buy pictures in free and open competition was brought about by real head work on the part of Mr. Myers. In his memorandum to the Deputy Administrator, which he submitted to him on behalf of Allied before the New York Code conferences had started, Mr. Myers suggested that such a provision he made part of the Code. The affiliated theatre representatives were naturally opposed to this "heresy" but when during the conferences this principle, embodied in a provision, was put to a vote, the affiliated members of the exhibitor committee were forced to vote for it, for to have done otherwise might have brought them to a difficult situation with the Federal Trade Commission in that their act would have been interpreted to mean that they were opposed to "free and open competition," in violation of the Sherman Act. But in order to nullify the provision, they tacked on to the exhibitor provision the following amendment: "provided, however, that the seller shall have the right of selection based on bona fide consideration of the character, responsibility, prior performance, prestige of theatre or theatres, and potentiality of income."

If the exhibitors had agreed to this provision, they would have nullified, as you well understand, the intent of the exhibitor proposal entirely, so Mr. Myers countered with another amendment, which reads as follows: "and provided further, that the buying power in other situations resulting from the fact that a particular theatre is operated by a circuit shall not be a factor in determining its prestige or potentiality of income, within the meaning of this code."

Under the subheading, "Limitation on distributors' right to choose customers," Mr. Myers said partly:

"Producer-distributors and their owned, controlled and affiliated theatres express horror at the idea of 'placing films on the auction block.' But films always have been on the block, the only difference being that formerly every exhibitor had the right to buy any run he chose by paying the top price for such run in his locality, whereas under present conditions the circuits are allowed to bring their outside buying power to bear in each locality and thus virtually to corner the market in first runs.

"What is now proposed is not an innovation but a restoration."

In the discussion of the block-booking problem, Mr. Myers said partly the following:

"No subject excels in importance to the exhibitors and the public than that of the right of the exhibitors to select and play the pictures best calculated to entertain and please the theatre-goers in the localities where the theatres are located. . . .

"The public interest in the subject is evidenced by a growing and insistent demand that the exhibitors be allowed freedom in the selection of product so that they may be held accountable by their patrons for the kind of pictures they play.

(Continued on last page)



### "Penthouse" with Warner Baxter and Myrna Loy

(MGM (1933-34), Sept. 8; running time, 88 min.)

A fast-moving gangster melodrama, with racy dialogue and much comedy. It is strictly adult entertainment because of the many suggestive situations and pointed remarks that occur during the unfolding of the story. For instance, on several occasions Myrna Loy, in a very direct manner, tells Warner Baxter that she wants to stay with him and she shows keen disappointment when he does not attempt to spend the night with her. Warner Baxter is an extremely sympathetic character throughout, risking his own life for the benefit of a friend, and behaving at all times in a gentlemanlike manner. One demoralizing feature is the fact that in the development of the plot a gangster is shown as being a noble character; however, this is done with much comedy. Although there is no mystery as to the murder, the interest is held throughout because of the way Baxter goes about proving the guilt of the real murderer.

Because of the fact that Baxter had defended a gangster and obtained his acquittal his law partners request his resignation from the firm and his society sweetheart, Martha Sleeper, breaks their engagement. Nat Pendleton, the gangster he had defended, worships Baxter and surrounds him with bodyguards which Baxter at first resents. He attempts to amuse Baxter with wine and girls, and Baxter tells him what a terrible person he is, but Pendleton does not resent anything that Baxter says. Martha Sleeper becomes engaged to Phillips Holmes but requests that he break off relationships with Mae Clarke, his mistress. Mae's former boy friend, also a gangster, arranges to have Mae and Holmes come to his apartment and then plants them on the balcony, has Mae shot and killed, and arranges things so that it appears as if Holmes killed the girl. Baxter, because of the pleas of Martha Sleeper, undertakes the case and does his own detective work. He knows who the guilty person is but his great difficulty is in getting proof. Pendleton introduces him to Myrna Loy, the former pal of the dead girl, and she goes to Baxter's home to stay with him. By having her talk Baxter gathers valuable information. She falls in love with him and does everything to protect him even involving herself with the murderous gangster. But eventually Baxter, through a clever ruse, gets the information he wants and Holmes is freed. Baxter, in the meantime, had fallen in love with Myrna Loy and they are married and go off to Europe on a honeymoon.

The plot was adapted from a story by Arthur Somers Roche. It was directed by W. S. Van Dyke. In the cast are C. Henry Gordon, Charles Butterworth, George E. Stone, Robert Emmett O'Connor and Raymond Hatton.

Unsuitable for children, adolescents, or Sundays.

### "Bureau of Missing Persons" with Bette Davis, Pat O'Brien and Lewis Stone

(First Nat'l, (1933-34) Sept. 16; running time, 74 min.)

Only fair. Some of the situations bring about exciting melodrama, but the story is thin and implausible; in addition it is not started until the picture is almost half finished. The first half concerns itself with sketchy situations surrounding the work of the Bureau of Missing Persons connected with the Police Department, that are in no way connected with the story. Some of them are amusing, and some morbid, particularly when the talk centers around dead people and the visits at the morgue. The average audience, however, will find it fairly exciting melodrama because of its novelty. The closing scenes hold one in suspense because of the plight of the heroine who is unjustly accused of a murder.

In the development of the plot the hero, a detective, is assigned to the heroine's case—she is in search of her "husband" who had disappeared. The hero falls in love with her only to discover that she is wanted for murder. But she begs him not to arrest her, and tells him that she is not married, but is searching for the man who is really guilty of the crime. The hero wants to believe her but she eludes him on several occasions and makes him feel as if she really is guilty. He plans a funeral, supposedly that of the heroine, thinking that her curiosity might bring her to the funeral parlors. It does and he arrests her. But the same morbid curiosity had brought the villain and because of the pleas of the heroine the hero arrests him. He finally confesses to the murder and the heroine is freed. The hero finds that his objectionable wife, who had been demanding

large sums of money for support, had a husband before she married him. And so he is free to marry the heroine.

The plot was adapted from a story by Capt. John H. Ayres and Carol Bird. It was directed by Roy Del Ruth. In the cast are Glenda Farrell, Allen Jenkins, Ruth Donnelly, Hugh Herbert, Alan Dinchart, Marjorie Gate-son, and others.

Unsuitable for children, adolescents and for Sundays.

### "Brief Moment" with Carole Lombard and Gene Raymond

(Columbia, Sept. 8; running time, 69 min.)

A fairly good sophisticated drama of marital difficulties. The interest is held because of the deep sympathy one feels for the heroine who fights all obstacles to keep the hero, her husband, from degenerating into a drunkard. The story is not particularly novel, nor is the action fast, but there is human interest brought about by the suffering of the heroine. One does not feel any sympathy for the hero because of his weaknesses, instead he arouses contempt. But his regeneration and sacrifice eventually wins one's respect.

In the development of the plot the heroine, a night club singer, marries the hero, son of a wealthy and aristocratic family. His family will have nothing to do with the girl, but supply the hero with a lavish monthly allowance. At first things are smooth and the couple are happy, but soon the rounds of gaiety wear on the heroine's nerves and she is unhappy. She wants the hero to work instead of play, and to stop drinking and make a man of himself. To satisfy her he goes to work in his father's office but the work soon gets on his nerves and he goes to races with his former playboy pal; he does not tell this to the heroine. She eventually finds out about it and is disgusted with the hero. She leaves him and goes back to work as a night club singer. This brings him to his senses for he realizes how much he loves her. He refuses his father's allowance money and goes in search of a job, using another name. He eventually succeeds; this brings about his reconciliation with the heroine.

The plot was adapted from the play by S. N. Behrman. It was directed by David Burton. In the cast are Monroe Owsley, Donald Cook, Arthus Hohl, Reginald Mason, Jameson Thomas, and others.

The only thing that might make this unsuitable for children or for Sundays is the amount of drinking that is done; exhibitors will have to use their own judgment.

### "Devil's Mate" with Peggy Shannon and Preston Foster

(Monogram, Aug. 20; running time, 63 min.)

A fairly good murder mystery melodrama. It holds one in suspense since the murderer's identity is not made known until the end, although one does suspect for some time before the end who the murderer is. The plot occasionally is not logical, but the action is fast and for that reason the interest is held. The closing scenes are exciting, particularly when the heroine is in the presence of the villain and is in danger of being killed by him.

In the presence of several people who were to watch the electrocution of a young man, this man is suddenly killed by a poison dart when he is about to give the name of the leader of his gang. There is only one clue—a small poison dart but this does not help the hero, a police inspector, to unravel the mystery. The heroine, a newspaper reporter and sweetheart of the hero, becomes interested in the case and sets out to get a scoop, and at the same time help the hero. She goes to see the murdered man's sweetheart and the next day this girl is killed in a mysterious manner by the same type of poison dart. Eventually the heroine, certain that her suspicions were correct, visits the villain who is warned, while she is there, by one of his henchmen over the telephone that she knows too much. The hero fortunately had been listening in to the conversation between the villain and his assistant and, realizing that the heroine was in the villain's home, rushed there and arrived just in time to prevent the villain from killing her. The hero and the heroine are married.

The plot was adapted from a story by Leonard Fields and David Silverstein. It was directed by Phil Rosen. In the cast are Ray Walker, Hobart Cavanaugh, Barbara Barondess, Paul Porcasi, Jason Robards, Bryant Washburn, and others.

Suitable for children, adolescents and Sundays, except that it might frighten children.



**"Headline Shooter" with Frances Dee,  
William Gargan and Ralph Bellamy**

(RKO, July 28; running time, 60 min.)

A fast-moving action melodrama. Since it centers around the work of the hero, a newsreel cameraman, actual newsreel shots are intertwined with the story and put into the picture in a clever and realistic way; many of them are quite exciting. The scenes showing the hero at the Mississippi floods are exciting, as are the opening shots where he is filming an earthquake. The closing scenes, too, hold one in suspense because the heroine is captured by gangsters who wanted to prevent her publishing a story about a murder which involved them. There is comedy throughout, and the characters are fairly sympathetic.

The plot was adapted from a story by Wallace West. It was directed by Otto Brower. In the cast are Jack LaRue, Gregory Ratoff, Wallace Ford, Hobart Cavanaugh, June Brewster, and others.

Suitable for children, adolescents, and for Sundays, except that some of the characters drink too much.

SUBSTITUTION FACTS: This is replacing 31134, listed on the contract as "Joel McCrea Production No. 2." It is a star substitution.

**"Flaming Gold" with Bill Boyd,  
Mae Clarke and Pat O'Brien**

(RKO, Aug. 25; running time, 53 min.)

Good melodramatic entertainment. The background of "Flaming Gold" is more interesting than the story it tells, for most of the action takes place at an oil field, and there is shown the work incidental to the drilling of the oil. One situation, during which there is an oil well fire, is exciting and the means of combatting the fire interesting. These different scenes will appeal to male audiences. The characters are all fairly sympathetic, and there is some suspense because one does not know how the hero will find out about his wife's past.

The story revolves around the hero and his pal, drillers, who are competing with a large oil company. The company's manager wrecks their well with a bomb and everything the two men had is lost. They are befriended by the woman who runs the town dance hall because she had been impressed with their refusal to accept any money or to aid the manager who had ruined them when a fire occurs in his well. She sends the hero to New York to interview a wealthy man who had once been intimate with her, and the hero procures a loan to start a new company to drill for oil on some property owned by the dance hall owner. Since the hero has an evening to spend in the city this man's secretary arranges to have him meet the heroine, who was supposed to entertain him. They fall in love and the hero does not suspect that the heroine had a shady past; they marry. The backer is so enraged when he hears of this that he telephones the dance hall owner and rages because he felt he invested money with a fool—a man who could not even judge a woman. The pal is heartbroken when he learns about the heroine's trickery and when she arrives with the hero he goes out of his way to be mean to her. The hero goes to town to arrange about salaries for the workers and during his absence the pal tries to insult the heroine. But she is so frank with him that he changes his opinion about her and tells her he will help her since she loves the hero. When the hero returns and finds them such good friends he immediately becomes suspicious. The heroine is forced to tell him the truth about herself, but he forgives her. Their project is successful and the three are again good friends.

The plot was adapted from a story by Houston Branch. It was directed by Ralph Ince. In the cast are Rollo Lloyd and Helen Ware.

Not suitable for children, adolescents, or for Sundays.

**"Midshipman Jack" with Bruce Cabot,  
Betty Furness and Frank Albertson**

(RKO (1933-34), Sept. 22; running time, 70 min.)

Excellent program entertainment; it is clean and wholesome, has good comedy moments and human interest. Even though the story is simple one's attention is held to the very end. It is fine for young people because of the inspiring friendship between the principal characters, and the excellent traits shown by them, particularly in their willingness to sacrifice their careers for each other. The picture has been photographed at the United States Naval Academy at Annapolis; it affords some good shots of the training the young men go through, and American audi-

ences will feel a sense of pride in the manner in which this is done. The romance is pleasant, but is incidental to the friendships shown between the young men.

Bruce Cabot is an officer at the Naval Academy; he did not graduate with his class because of his laxity in obeying orders and misconduct. When a new set of boys arrive at the school he is put in command to train them. Among the boys are Frank Albertson, an ambitious, studious boy, who is eager to forge ahead. He becomes attached to Cabot because of his kindness in helping him with his work. Cabot is in love with Betty Furness, the daughter of the Commander, but she wants him to take his work more seriously and graduate. She tells him she will not see him until he changes his ideas. Cabot is in charge of a ship, taking the students out on a cruise. He goes to consult the chief of the engine room and leaves Albertson in charge. Albertson orders that the ship be steered in the vicinity of the aeroplane landing spot. An aviator, temporarily blinded by the sprouting of oil, lands near the ship. Albertson's bravery in spearing the plane saves it from being wrecked but he is seriously injured. He is taken to a hospital and operated on. Cabot decides not to tell who gave the orders but to take the blame himself: he felt Albertson's career was more important than his own. But the Commander and Betty Furness overheard a talk between Albertson and Cabot, and all charges are withdrawn from the records of both of them. Cabot is happy, enters into the spirit of the work, graduates, and wins Betty. Albertson recovers and feels even greater respect for Cabot.

The plot was adapted from a story by Frank Wead and F. McGrew Willis. It was directed by Christy Cabanne. In the cast are Arthur Lake, Florence Lake, John Darrow and Purnell Pratt.

Excellent for children, adolescents, and Sundays.

**"Torch Singer" with Claudette Colbert  
and Ricardo Cortez**

(Paramount (1933-34), Sept. 8; running time, 70½ min.)

Excellent mass entertainment, particularly for women audiences because of its emotional appeal. Most women will cry during some of the situations, for they do tug at the heartstrings, as for instance the one in which Claudette Colbert is forced to give her baby up; also the one in which she sees her child again. It is a good mixture of pathos and comedy, with occasional music sung quite well by Claudette Colbert. The characters are sympathetic and their actions for the most part win one's respect. Baby Leroy, who appeared with Maurice Chevalier in a "A Bedtime Story," is seen here in just one situation and his cute ways will bring forth exclamations of pleasure from the audience. Although the story is not always plausible it holds the interest throughout.

Claudette Colbert gives birth to her child in a charity ward. The father of her child, David Manners, had gone off on a trip and she had been too proud to tell him of her condition since she did not want to force him to marry her. She lives with a friend for a time but being unable to support herself and the child she gives up the baby, relinquishing all rights to her. She is disillusioned and becomes hard. Having an appealing voice she becomes a night club singer and lives a fast life. She becomes intimate with Ricardo Cortez, manager of a large broadcasting station, and one day, while visiting him at his office, she takes the place of a woman who was to broadcast on a children's hour. The woman had become too nervous to broadcast. She is so successful that she is offered a position as the regular broadcaster for that hour and in time she grows to enjoy it. She begins to feel a great desire to see her child and uses her broadcasting in a subtle way to find the whereabouts of her baby for the home would not tell her where the child was. David Manners returns to the city and she is cold to him telling him all she had suffered because of him. He tries to win her back but she will not listen to him. She asks all children over the radio who have her child's name to send her a letter and she traces them all. One night she receives a telephone call from a child by that name and rushes to the house. It is David Manners' home and it is her own child—he had just obtained custody of the child through the home. He pleads with Claudette to forgive him and marry him and she does.

The plot was adapted from a story by Grace Perkins. It was directed by Alexander Hall and George Somnes. In the cast are Lyda Roberti, Florence Roberts, Cora Sue Collins, and others.

Not suitable for children, adolescents, or for Sundays.

Comedy &  
Action



"In no other industry are the manufacturers protected against their own mistakes of judgment by a practice which permits them to force their entire output, the good with the bad, on their customers. In no other industry are the retailers required to accept and pay for goods that are of no value, and are in many cases offensive to their patrons, in order to obtain that which they desire and must have in order to stay in business.

"All attempted analogies fail in the light of the fact that a desirable picture, nationally exploited by the fan magazines and newspapers, can not be duplicated in any other brand or obtained from any other source than the producer-distributor whose property it is. And considering the limited number of such sources (greatly reduced by mergers during the past five years), it will be seen that the exhibitors must deal with a practical monopoly, regardless of any question of collusion between the several producer-distributors."

In the discussion of "Eliminations," Mr. Myers opposed the M.P.T.O.A. recommendation which is embodied in the new contract and proposed a straight twenty per cent elimination. He tore down the producer arguments to the effect that an elimination of such a size would put them out of business by pointing out to the Administrator that they are granting such and greater eliminations in the contracts entered into between the theatre-operating producers and their competitor producer-distributors. He quoted the following paragraph from a contract entered into last year between Warner Bros. and Fox:

"In any theatre, city, town or zone where the contract commitment of the Exhibitor is thirty-five (35) or more, it is agreed that the Exhibitor may select the pictures to be exhibited by it from the total product released by the Producer."

In the discussion of foreign pictures, he stated that, every time the exhibitors proposed a provision restricting the sale of such pictures, the producers cautioned the exhibitors on the ground that it would embarrass the United States Government in its relations with foreign powers. And yet in the contracts among themselves they make the playing of such pictures optional with the affiliated exhibitor, quoting a clause from a secret master contract entered into between the Warner Bros. theatre department and all the producer-distributors from whom it had purchased film. He pointed out that this reservation is not the only one they make, but others, as you will see from the clause which he had quoted; it reads as follows:

"... The Exhibitor shall not be required to accept, but may, if it so desires, accept under this contract, dog, animal, western or foreign-made pictures, except that the Exhibitor will accept five (5) O'Brien pictures as listed in Schedule of 42 pictures."

"The independent exhibitors feel that they have the right," Mr. Myers said, "to demand the same consideration from Mr. Kent that he accords to Warner Bros.," and recommended that the following provision be included in the Code:

"No exhibitor shall be required to play or pay for any picture produced by a producer or distributed by a distributor who has not subscribed to NRA."

Mr. Myers spoke on many other subjects. But I am not taking them up this time for lack of space.

I haven't a copy of Mr. Schechter's brief before me but one of the points on which he, while speaking on behalf of ninety per cent of the independent producers and a similar percentage of the independent distributors, took up the Twenty-eighth Article of the producer Code, reads as follows:

"No exhibitor shall agree with any other exhibitor or exhibitors to allocate among them the motion pictures of distributors with the effect of eliminating fair competition between such exhibitors in the bidding and negotiating for the motion pictures of such distributors; provided that bona fide mergers of interests through partnerships or corporations shall not be deemed to be within this provision." Also to Article Eighteen of the same Code, which reads as follows:

"And distributors may refuse and agree with other distributors to refuse to negotiate with any person, firm or corporation or association seeking to pool or combine the exhibition requirements of different separately owned theatres for the purpose and with the effect of limiting or reducing competition for the exhibition rights of motion pictures among the exhibitors owning or operating such theatres. . . ."

Mr. Schechter pointed out to the Administrator that, although they demand of other exhibitors that they shall not combine to depress prices, they do not apply such a ruling among themselves, in that they have combined and are still combining to depress such prices by making it impossible for the independent exhibitor to bid for the pictures the theatre owning producer-distributors have chosen to desire. He recommended that the "Any Distributor may refuse" in Article 18 of the producers' Code be changed to "All Distributors shall refuse. . . ."

He spoke on other subjects with similar telling effect.

Of the independent producer-distributors who spoke on behalf of their companies as individuals and not as members of a group, Eddie Golden, general sales manager of Monogram, made the most impressive talk. Mr. Golden confined his efforts to the double feature question, pointing out to the number of persons who would lose their jobs if double features were banned, as desired by most major companies. He was congratulated not only by the men whose cause he was fighting for, but also by many exhibitors, who had been impressed with the seriousness and earnestness of his talk.

I have said "by most major companies," because Universal and Columbia were not in accord with the others. R. H. Cochrane, vice-president of Universal, spoke in favor of double features; he made the shortest speech on record at that hearing but most effective. Jack Cohn, of Columbia, too, spoke in favor of double features. Allied States took no position in the matter. If anything, they were favorable to the min that Mr. Myers stated in his brief that the theatre owners must be allowed to operate their theatres without dictation from the producer-distributors.

One of the acts of the producers that gave rise to much meriment was the propaganda of the Hays organization against double features. A representative of that organization brought to the hearing a number of representatives of women's clubs. Each of these women spoke against double features on the ground that the better picture show organizations found it difficult to arrange a suitable program for the families. Since each one made the same stereotype speech, it was obvious that these women had been rehearsed. A remark to that effect was made by Dr. Cannon Chase in his talk. Every one present wondered what business these women had to take up the subject of the double features when they said nothing in favor of adopting the Hays morality code which has been put into the Exhibitor Code by the exhibitors themselves. Some of these women came from territories where there are no double features; and yet they spoke about eliminating them. This representative of the Hays organization did not even make an attempt to conceal the connection; he was seen sitting by these women afterwards.

One of the most significant happenings of the meeting was the position Mr. William Green, president of the American Federation of Labor, took in relation to double features. He declared the banning of the double features a monopolistic practice, detrimental to labor.

What the outcome will be it is hard to tell in advance. All I can say at this time is that the independents, producer-distributors as well as exhibitors, presented their cause to the Administrator with wisdom. The producer arguments were extremely weak. One of their representatives, a lawyer, Mr. Nathan Burkan, expressed satisfaction when the Deputy Administrator called his attention to the fact that the exhibitors conceded to the producer-distributor the right to show his films in his own theatres; Mr. Burkan made the statement that this was the first time that this matter had been spoken of at the hearing. The previous day Mr. Myers and one of the other speakers had made this matter clear. Mr. Burkan also deplored the fact that, if the "right to buy" were established, beautiful theatres such as the Music Hall in New York would be compelled to show a picture at the same time as some theatre of low character. This made it clear to everybody that the producer side does not yet understand this principle clearly. If a three hundred seat theatre can pay as much for film as the Music Hall, it should be entitled to the picture. But it is unthinkable that any other theatre in New York can pay for film as much money as the Music Hall. Consequently the "right to buy" will not endanger the privileges enjoyed by the Music Hall. What the exhibitors seek to put an end to is the practice of the affiliated theatres of forcing producer-distributors to sell them film on their own terms, forbidding competitors from bidding for the same film.



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## Odds and Ends of the Code Meeting in Washington

The first point Mr. Jacob Schechter, counsel for the Federation of the Motion Picture Industry of America, took up in his talk before the Deputy Administrator, was, like that of Mr. Myers, that which is so dear to the heart of the theatre owners, the "Right to Buy." He said:

"... we find that the first subject is covered by Article XV of the Distributors Code, and Article 2 of the Exhibitors Code.

"We ask that both said articles be eliminated. In place thereof, we ask for the adoption of the provision appearing under the 'Exception noted to the Exhibitors Code,' reading:

"Every theatre owner shall have the right to buy in free and open competition whatever run of pictures he desires."

"At this time I should like to state that I subscribe wholly and entirely to the statements made by Mr. Abram F. Myers, representing the Allied States Exhibitors Association, concerning this subject...."

Many of you will undoubtedly express surprise at the fact that Mr. Schechter, although representing producers and distributors, even of the independent class, should have endorsed propositions that belong to the exhibitors' sphere exclusively! When I interested myself in the movement intended to organize the independent producers and distributors, my sole object was, as I explained to you at that time, to bring about a coordination of their efforts and of the efforts of the independent theatre owners, for I felt that if the two groups went to Washington united in thought and action their common problems would receive a greater consideration by the Administration. It was not so easy at first to convince the independent producers and distributors that the opening up of the "runs" to all the exhibitors who were willing and able to pay as much money for such runs as the affiliated exhibitors, was beneficial to all, but the perseverance of Mr. Schechter and his patience did the work. It took more than three months to accomplish it, but he at last succeeded. And so last week I had the satisfaction of seeing the purpose accomplished fully, for in Washington there was perfect harmony and whole-hearted co-operation between the two groups and effective coordination of efforts. And this cannot help having an effect upon the final framing of the Code.

One other point Mr. Schechter dwelt upon is the detrimental effect the interlocking agreements among the major companies have upon the interests of the independent exhibitors. "It is worthy of note," Mr. Schechter said, "that there are only about eight major companies, consisting of Metro, Warner, Paramount, Fox, RKO, United Artists, Universal and Columbia. The first five of these concerns control their own circuits.

"As opposed to these figures, there are about twenty independent producing companies, about seventy-five to one hundred independent distributors, and there are many thousands of independent exhibitors. Yet these eight concerns, through their interlocking agreements, are in substantial control of the policies of buying and selling pictures, and the exhibition thereof throughout the country.

"It is well known that in many sections, independent exhibitors may have as good and even better theatres in their community; that they are able and willing to pay higher rentals than the other theatres in their territory can pay. Nevertheless, they are denied the right to buy pictures for first-run or early subsequent runs, and are subject to the 'protection' granted to the houses controlled by the circuits or to those favored by the circuits."

In his speech, Mr. Nathan Burkan, in replying to a question put to him by Mr. Rosenblatt about the offer the Globe Theatre had made to Fox for "Cavalcade," offering a

guarantee of \$60,000 for twelve weeks as against the offer of the Music Hall, which eventually played it at a lesser rental, he said: "If 'Cavalcade' for a first run showing went to that theatre, it would be ruinous to the picture." Mr. Schechter countered this statement as follows:

"There is only one other thought in that connection, which Mr. Burkan made, and that is with regard to the Globe Theatre when the subject of 'Cavalcade' was raised. He stated that 'Cavalcade' could not, and should not, have been presented at the Globe as against the Radio City. I call your attention, sir, to the fact that 'Cavalcade,' before it went to the Radio City Theatre, was given what is known as a public presentation in advance of first-run at the Gaiety Theatre, which, I think, was an ordinary variety house, a house that has but two-thirds of the seating capacity of the Globe, a house that does not have the same standing as the Globe Theatre...."

Mr. Schechter might have mentioned also the fact that "Dinner at Eight," the MGM roadshow picture, is now playing at the Gaiety on an extended run engagement. It might not be out of place either to state at this time that J. J. McCarthy, the well known roadshow pictures exhibitor, took forty million dollars out of the legitimate theatres with roadshow pictures, out of which twenty-seven million went to the producers. In all these cases the exhibitors profited by the exploitation of the pictures in these legitimate theatres.

Mr. Schechter dwelt also upon other subjects that concern the independent theatre owners, advocating that provisions be put into the Code to enable these theatre owners to conduct their businesses free from the major circuit handicaps.

Another speaker for the independent exhibitor side was Mr. Joseph Varbalow, attorney and exhibitor, from Camden, New Jersey. Mr. Varbalow, in an effective speech, stated that although their theatres are as good and even superior to those of their competitors, Warner Bros., yet he can not obtain first-run film by virtue of the fact that the Warner theatres, because of their affiliations, are able to prevent them from doing so.

One interesting point that Mr. Varbalow brought out is this: "The eight distributors, in the Philadelphia area that are supposed to supply us with film," said he, "could easily get along without us, but, conversely, we could not get along without them, and the weapon they furnish in the hands of the affiliated producer-exhibitor, whereby they are given unfair advantages, will drive us out of business." Although some one might say that if they went out of business, the affiliated theatres would move in, he pointed out to the fact that such is not the case, producing evidence to the contrary showing that many theatres have been closed by the circuits, to the detriment of the local merchants.

Mr. Mitchell Klupt, representing the Century Circuit, of which Mr. A. H. Schwartz is president, was another effective speaker, presenting the exhibitor side's rights. "I think enough has been revealed here," Mr. Klupt said, "to convince that this industry is a sick industry... it is evident that the basic impediments to the healthy conduct of this business is the inability to procure the run of the product which is suitable and adequate, because of unfair and unreasonable discrimination, unreasonable clearance and forfeits purchase and payment for which the exhibitor has no use, and finally the requirement and enforced stipulation of having to buy a 'pig in a poke.' That is what it amounts to."

The problems presented in the formation of this industry's code are more varied and complicated than those of any other industry. All I can say at this time is that the industry,

(Continued on last page)



**"Doctor Bull" with Will Rogers**

(Fox, 1933-34 (Sept. 22); running time, 77 min.)

Good entertainment. Following somewhat the story of "One Man's Journey" in that the action revolves around the life of a country doctor, it provides the humorous instead of the serious and sentimental side of the profession. The action is rather slow and the story is not particularly exciting, but there is enough of the Will Rogers' brand of humor and quips to hold the interest of most audiences. Comedy is brought about by the picture of small-town life, with all its smugness, gossip, and interference in the private lives of neighbors.

The story revolves around Will Rogers, a small-town doctor, who incurs the enmity of the people of the town for two reasons: one, is that he is friendly with a pretty and wealthy widow and even though their friendship is fine the people suspect the worst; the other is that he refuses to indulge them in their petty illnesses and takes his time about visiting them. An epidemic breaks out in the town and the people hold a meeting to demand the ousting of Rogers for what they claim is negligence. The widow, risking her reputation, gets up and addresses the audience telling them how fine Rogers is and she puts the blame for the epidemic on her own brother who was running a camp and had polluted the drinking water. Rogers proposes to the widow and she accepts him. He regains his reputation as a fine doctor when he effects a cure on a young man who was suffering from paralysis. He used the same treatment on the man that he had used on a cow.

The plot was adapted from a story by James G. Cozzens. It was directed by John Ford. In the cast are Louise Dresser, Vera Allen, Marian Nixon, Howard Lally, Betton Churchill, and others.

Suitable for children, adolescents, and for Sundays.

**"Beauty for Sale" with Madge Evans, Alice Brady and Otto Kruger**

(MGM, Sept. 1; running time, 87 min.)

Just ordinary entertainment. The only redeeming feature is the good acting by most of the cast, since the story is trite and demoralizing, and even sordid in some of its situations. For instance, Una Merkel is shown having an affair with an elderly but wealthy man who is married. She receives money, jewels, and beautiful clothes from him, a trip to Paris, and eventually he even marries her. Another young girl is shown being deserted by Phillips Holmes when he finds out she is going to have a baby and she kills herself by jumping from a window; this scene is horrible. The talk is petty and some of it suggestive. Not even the love affair between Madge Evans and Otto Kruger is appealing since he is a married man and suggests that she live with him because his wife will not divorce him. There is sort of an unclean air about the whole thing.

In the development of the plot Madge Evans decides not to accept Otto Kruger's proposal of living with him as his mistress when her girl friend kills herself over a man. Instead she works hard and even goes out with Eddie Nugent, her old boy friend, whom she detests because of his vile manners and silly chatter. She consents to marry Eddie, but the morning of the wedding she decides she cannot go through with it and leaves him waiting at the church. In time she hears that Otto Kruger had been divorced by his wife, Alice Brady, who wanted to marry another man. There is a happy reconciliation between Madge and Kruger when he finds out she had not married Nugent.

The plot was adapted from a story by Faith Baldwin. It was directed by Richard Boleslavsky. In the cast are May Robson, Hedda Hopper, Florine McKinney, Isobel Jewell, Louise Carter, Charles Grapewin, and others.

Not suitable for children, adolescents, or Sundays.

**"F. P. 1" with Conrad Veidt, Jill Esmond and Leslie Fenton**

(Fox-Gaumont, July 28; running time, 75 min.)

This is a British made picture and is a fairly good melodrama. The idea is rather novel, and the most exciting part of the picture is the ingenious and clever background, "F. P. 1," which is supposed to be a floating platform, or rather a mechanical island, placed in the middle of the Atlantic Ocean to be used as a landing place for trans-continental planes. The settings for this island are so realistic looking and the work of manipulation and control so logically done, that it gives the spectator the feeling that such things are possible. The first half is slow, but the second

half holds one in tense suspense, particularly the situation in which Leslie Fenton is wounded and the island left to sink. Sympathy is felt for the characters, and pity for Conrad Veidt when he finds that Jill Esmond does not love him.

Leslie Fenton had devised a plan in which to build a mechanical island in the middle of the Atlantic Ocean as a landing place for trans-oceanic flyers. He had submitted the plans to Jill Esmond and her two brothers, shipbuilders, but they never gave it a thought until Conrad Veidt, a friend of Fenton's, and a flyer of note, aroused their curiosity by planning a fake robbery of the plans. Jill is fascinated by Veidt and attempts to make him settle down but he is off on a non-stop flight around the world. In the meantime she becomes interested in Fenton and they fall in love with each other. In two years the mechanical island is built and placed in the centre of the ocean. It is a complete success but Fenton realizes there are some forces working against him. And there are—some shipbuilders were out to destroy the island because they felt it would interfere with their shipping business if trans-oceanic flying was made safe. It develops that Fenton's assistant is their secret agent and he wounds Fenton, opens the valves so as to sink the island, opens the gas pipes so as to kill off the crew, and then leaves in a motor boat he had prepared with food. Jill had heard the shots and rumpus while talking with Fenton over their private telephone connection, and induces Veidt, who had just returned, to fly with her to the island, making him believe that she would consider marrying him. They arrive there in time but cannot close the valves, since all the fuel had been poured out by the villain. Veidt notices Jill kissing Fenton and is so angry that he refuses to help them. He sends the whole crew off in the motor boats and tells Fenton and the others that they will die. But towards morning he repents and goes off in a plane to send help to the "F. P. 1," which is saved. He sails away.

The plot was adapted from a story by Walter Reisch and Kurt Siodmak. It was directed by Karl Hartl. In the cast are George Merritt, Donald Calthrop, Alexander Field, and others.

Suitable for children, adolescents, and Sundays.

Substitution Facts: This is replacing No. 29 listed on the contract as "Red Dancer," play by Viktor Kelemen. It is a story substitution.

**"Mr. Broadway"**

(B'way-Hollywood Productions; running time, 58½ min.)

"Mr. Broadway" is personified by Ed Sullivan, a columnist writing for the New York Daily News; this picture is supposed to show how he collects his news for his column and he takes the spectator on the rounds of three different restaurants, which he is supposed to visit nightly.

It is all very mediocre entertainment—poor sound, bad photography, poor direction and editing, and an uninteresting manner of presentation. It is more or less of an advertisement for three places—the Paradise Restaurant, The Hollywood Restaurant, and the Central Park Casino, and it may interest out-of-town people but for the average audience it is meaningless.

The first place Sullivan goes to is the Paradise Restaurant where he finds N.T.G., the announcer, conducting the floor show. Many celebrities are at the place, such as Jack Dempsey, and some stage stars and each one gets up and takes a bow as they are introduced.

The next place is the Hollywood Restaurant where Sullivan follows the same procedure. Incidentally, at this restaurant during the stage show several girls appear during the rendition of a song clad in practically nothing. It all has an air of cheapness and vulgarity.

From there he goes to the Central Park Casino, a swanky dining and dancing place, and there he points out some more celebrities such as Lupe Velez, Jack Haley, Josephine Dunn, and others. While at a table with Miss Dunn and Johnnie Walker, Sullivan notices a necklace worn by Miss Dunn which reminds him of a story, and he proceeds to tell it to them. The story is acted out and done in a drab manner, sordid as to its theme, and amateurish in its execution.

The picture ends with Mr. Sullivan leaving the Casino with Miss Dunn and Mr. Walker, on his way to another place to finish off the rounds for the night. Fortunately, he does not take the spectator there.

The picture was directed by Johnnie Walker. During the unfolding of the story such celebrities as Ruth Etting, Bert Lahr, Hal Leroy, Ted Husing, Blossom Seeley, Joe Frisco, and others, are seen and heard for a few minutes.

Not suitable for children, adolescents, or for Sundays.



**"Emperor Jones"**

(United Artists, (1933-34) no date set; run. time, 80 min.)

Sophisticated intelligent audiences who enjoy a picture for the acting alone will find the performance of Paul Robeson, an excellent Negro actor with a fine voice, sufficient to hold their interest. But for the general run of picture-goers it will prove boring. First of all, American audiences will resent the inference that a white man is ruled by a Negro, and in addition, the entire cast, aside from Dudley Digges, is all Negro. The hero is an unsympathetic character, for he is shown as being a philanderer, a murderer, and an egoist; it is only the vibrant performance by Robeson that keeps any spark of interest alive. The forest scene in the end, which was exciting in the play, is nerve-wracking in the picture. The continuous tom-tom of the drums, and the constant talking by Robeson, while effective, is so long drawn out, that most spectators will squirm in their seats. Moreover, it is depressing to see a man caught like an animal, frantically looking for means of escape.

The story revolves around Paul Robeson, who leaves his small Southern town to become a pullman porter. Money and bad friends spoil him and he soon gambles and drinks, and has many lady friends. In the train he listens in to private conversations and is able to make easy money by blackmailing people. He steals his pal's girl, and later in a brawl with his pal, he kills him. He is sentenced to the chain gang but again his temper breaks loose and he kills a guard, but makes his escape. He goes to an island ruled over by a black emperor and there meets Dudley Digges, a white trader, who cheats the blacks. He forces a partnership with Digges and soon, by a clever ruse, makes the Negroes think he is charmed; he deposes the emperor and becomes the all-powerful himself. He is cruel and heartless, taxes the people unbearably and kills those who stand in his way. But the people eventually revolt and he plans his escape, having hidden his fortune so as to lead an easy life. But he gets lost in the forest at night, has visions and loses control of himself. He wanders right back where he started from and falls right into the hands of the aroused Negroes. They kill him with silver bullets, which he boasted was the only thing that could kill him.

The plot was adapted from the play by Eugene O'Neill. It was directed by Dudley Murphy. In the cast are Frank Wilson, Fredi Washington, George Stammer, and others.

Not suitable for children, adolescents, or for Sundays. Few exhibitors in Southern states can show it.

**"Berkeley Square" with Leslie Howard and Heather Angel**

(Fox, (1933-34) November 3; running time, 88 min.)

Artistically and handsomely produced and beautifully acted, "Berkeley Square" emerges as high class entertainment for the better class of picture-goers; it is rather slow for the masses. It is a beautiful and heart-rending romance, weird in some respects, but holding the interest throughout. Comedy is provoked by the fact that the hero, projected into the eighteenth century from the modern nineteenth century, finds himself making comments that are in the form of predictions to his listeners. Some of his remarks are considered quaint and funny, but most of them make his listeners fear him, for they believe him to be a devil. The development of the love affair between the hero and the heroine is handled with restraint and fine taste, and the situation in which they part, the heroine pleading with him to go back to his own times, is heart-rending. The producers have adhered strictly to the stage play from which it was adapted and there is little action—it is mostly all talk.

The story revolves around the hero, an American, who had come to London to take over a house which he had inherited. He becomes so engrossed in it, going through all the old papers, records and diaries he can find, that he secludes himself in the house for days, even refusing to see his fiancée. He longs to live in the eighteenth century, and go through the experiences of his ancestor, who had looked just like him and bore his name. And suddenly one night he is projected back into the eighteenth century and he feels confident that he can conduct himself properly, with the help of the diaries he had found. From reading the diary he knows that he is supposed to marry his cousin, the elder daughter of the house which he had inherited. But he falls in love with the heroine, the younger daughter, and she with him. She is the only one who understands him and has the power to see into the future as the hero had to look back

upon the past; she knows that the hero's spirit belongs to a different age. He is gradually shunned by people and his supposed fiancée tells him she will never marry him for he is a devil, and does not belong with them. She fears him and pities her sister, afraid of what may befall her. In an outburst of fury he tells them all, and they leave him, crossing themselves. But the heroine remains with him. She begs him to go back to his own time, never to forget her, and hoping they will eventually meet. She asks him to visit her grave occasionally. And then the hero is projected back into his own time. He is moody and morose. He had been to the heroine's grave and found out that she had died 147 years ago, at the age of twenty-three, part of the epitaph reading "in the confident hope of blessed resurrection." The hero breaks his engagement with his fiancée, telling her he must live alone in the house with his memories.

The plot was adapted from the play by John L. Balderston. It was directed by Frank Lloyd. In the cast are Valerie Taylor, Irene Browne, Beryl Mercer, Colin Keith-Johnston, Alan Mowbray, Juliette Compton, Betty Lawford, and others.

Suitable for children, adolescents, and for Sundays. But children will hardly enjoy it.

**"Rafter Romance" with Ginger Rogers and Norman Foster**

(RKO, (1933-34 Season), Sept. 1; running time, 74 min.)

A pleasant program picture, with some good comedy situations. Nothing exciting, but it manages to hold one in suspense because of the peculiar situation brought about by Rogers and Foster using the same room in a boarding house, but at different hours. This was insisted upon by their landlord, George Sidney, because neither one of them could afford to pay their rent, and so he devised a scheme whereby Rogers was to use the room from eight o'clock at night until eight o'clock in the morning, and Foster was to use it the remaining time.

In the development of the plot Foster and Rogers meet on the outside, without realizing they are co-tenants. One day Foster goes on an outing with Ginger and sprains his ankle. She helps him home and is shocked to learn that he is her room mate. She upbraids him for the many caustic letters he had left her and for the practical jokes he had played on her. He is angry, too, for she had done the same thing to him, and a bitter quarrel follows, in which Laura Hope Crews, a wealthy old woman who pestered Foster with her attentions, joins in. She calls Rogers some ugly names and Rogers leaves in tears. Foster rushes after her and there is a reconciliation.

The plot was adapted from a story by John Wells. It was directed by William Seiter. In the cast are Robert Benchley, Sidney Miller and others.

Suitable for children, adolescents, and for Sundays.

**"Neighbors' Wives"**

(Syndicate Pict.; running time, 58 min.)

Mediocre! The story is extremely unpleasant and demoralizing. This is brought about by the fact that the heroine kills a man who was trying to involve her young sister-in-law, but in no way is made to suffer for it; as a matter of fact several people sympathize with her. Such an act actually advocates taking the law into one's own hands. Most of the characters are unpleasant, the action is slow, and the story rather pointless.

The heroine, wife of the hero, a detective, warns her sister-in-law about going around with one of their tenants. She knows he had been having an affair with another tenant in the house and that he was no good. This man steals one thousand dollars from the sister-in-law's purse which she was supposed to have deposited for her firm. He refuses to return it and the heroine kills him. The other woman tenant who had been having the affair with the man kills herself. Another tenant, a former judge, who was friendly with the heroine and knows about the murder, plants a note in the dead woman's apartment in which she "confesses" to the murder. In that way he rids the hero of his suspicions that the heroine might have committed the murder. Thus the heroine is saved and she cheerfully goes off on a vacation with her husband.

The plot was adapted from a story by John F. Natteford. It was directed by Breezy Eason. In the cast are Dorothy Mackaill, Tom Moore, Mary Kornman, Vivien Oakland, Cyril Ring, and others.

Not suitable for children, adolescents, or Sundays.



particularly the independent exhibition branch of it, should consider itself fortunate to have as a Deputy Administrator a man of Mr. Rosenblatt's understanding and keenness of mind. Mr. Rosenblatt knows these problems well since he has been connected with it for many years; therefore, when on Saturday, September 25, the day of the last industry meeting, he makes final decisions, he will have an advantage that no outsider would have. Those who know how fair-minded and just he is, feel confident that his decisions will be influenced solely by the spirit of the National Recovery Act.

### PHILADELPHIA EXHIBITORS SETTLE THEIR CONTROVERSY WITH WARNER BROS. ON "GOLD-DIGGERS"

According to an announcement from Philadelphia the exhibitor organization there has settled the controversy between its members and Warner Bros.

What the terms of the settlement are has not become known, but the exhibitor organization has withdrawn the suit against Warner Bros., called off the pickets from the film row, and discontinued exhibiting on the screens of the theatres owned by members the trailers that proved so injurious to the businesses of the Warner theatres in that zone.

The terms of the settlement are not the important point but the fact that the Warner organization was compelled to capitulate to the energetic concerted action of the exhibitors. Had the other exhibitor organizations throughout the United States given the Philadelphia organization the proper support, the settlement would, no doubt, have been national in character instead of local, as I surmise it is since it is being kept in council. HARRISON'S REPORTS has done its part in an endeavor to arouse the sentiment of the exhibitors throughout the land in an effort to prove to a producer-distributor, even as powerful as Warner Bros., that he cannot trifle with the rights of the exhibitors with impunity.

Every one of you knows, of course, the causes of the controversy; but for the sake of the record let me repeat them: Warner Bros. (and First National) took "Gold-Diggers of 1933" away from the 1932-33 contract holders and included it in its 1933-34 group of releases, selling it at 50% of the gross receipts instead of the 35% to 1932-33 contracts call for; it also dropped arbitrarily eight star pictures from its 1932-33 schedule, and advanced two pictures of program release ("Voltaire" and "Captured") to the position of specials, thus delivering as specials two pictures of mediocre quality, and shortening up the entire program by eight pictures.

The settlement of the controversy by the Philadelphia exhibitors should encourage you all and induce you into giving Warner Bros. a battle to compel it to respect your rights. Urge the leaders of your organization to communicate with the leaders of other organizations to start negotiations with the Home Office executives of this company towards giving back to all contract holders the pictures they have withheld from you. Warner Bros. are in no position to refuse to undo the injustice, as the trailers on the screen of the Philadelphia exhibitors has conclusively proved.

### THE PRESIDENT OF M.P.T.O.A. RECANTS

When I heard Ed. Kuykendall, President of Motion Picture Theatre Owners of America, while speaking on "The Right to Buy," say: "Therefore, the Motion Picture Theatre Owners of America most heartily endorse that item pertaining to the right to buy, which is included in the Exhibitors Code, as presented to the Administrator, Article 2, by Coordinator Charles O'Reilly," I was rubbing ears, for up to that time Ed. had taken the opposite stand. But my joy at hearing the president of this hybrid organization endorse the position of the purely independent exhibitors was destined to be short-lived, for I have read in the record a letter sent by him to the Administrator recanting his former profession of faith and in its place adopting the producer proposal, which stipulates that the distributor shall reserve the right to select his customers and other reservations which nullify completely the principle of the Right to Buy.

When the battle ends and the smoke clears away, there will be given an accounting of everybody in these pages. The vote, record of which has been kept, will be given, so that the exhibitors at large may know who stood by the

men they represented and who did all they could to offset the efforts of the real exhibitor leaders. It may also be necessary to record all the trickery that was practiced by the opposition.

### MORE THAN THREE MILLION DOLLARS IN ONE YEAR FOR FOUR PERSONS

In the testimony before referee Henry K. Davis, Federal Referee in bankruptcy, the terms of a settlement between A. C. Blumenthal and Paramount Publix Corporation, now bankrupt, were revealed.

During this hearing it came to light that in 1929 Adolph Zukor received as a salary and bonus \$887,500; Jesse L. Lasky a similar amount; Sidney R. Kent \$710,000, and Sam Katz a similar amount. In other words, these four received in that year a total of \$3,195,000, or \$61,826.92 a week.

And the comical part about it is the fact that the speakers for the producers, in their endeavor to fight off the exhibitor "Right to Buy," tore their clothes and pulled their hair in an effort to convince the Administrator that, if he should grant to the exhibitors the right to buy film against the circuits as long as they are willing to pay as much or even more for film, the millions and millions invested in theatre properties and in studios will be wiped out overnight. They took care not to say a thing about the almost two billion dollars of American investors they dissipated by means of such salaries as these four received in one year from one company, as well as about the fact that the theatre properties are now white elephants in their hands.

The joke of the whole thing is that, with the right of the exhibitor to buy film established, the producer-distributors will receive a greater revenue for their film. The only trouble is that they cannot see it.

### THE MOTION PICTURE BRANCH OF THE NRA PUBLICITY GETTING RESULTS

Mr. John C. Flinn, Exploitation Director of Paramount, who is acting as Publicity Director of the Motion Picture Division of NRA, has written a letter to Mr. Frank R. Wilson, Chief of Organization Division of NRA, rendering a complete report as to what the committee of motion picture executives selected by Mr. Wilson to help Mr. Flinn has done so far towards preparing for the work of the propaganda that is to be done on the screen to win public support for the NRA.

"The Motion Picture Industry," says Mr. Flinn, "has acquitted itself admirably in the patriotic and important tasks undertaken under your supervision. Eight of the largest companies volunteered to produce at their own expense and to supply gratis 1,000 prints each of short featurettes, approximately 250 feet in length, in which some of their leading artists appear. The Hollywood studios which so generously contributed are Warner Bros., Metro-Goldwyn-Mayer, Paramount, Douglas Fairbanks-Twentieth Century, Fox Films, Radio Pictures, Columbia and Universal...."

"Production of the pictures is finished. Negatives have been sent to various laboratories for positive printing. The industry has fulfilled in every respect the plans outlined by the division chairmen, and the important job of distributing 8,000 copies of the films to motion picture theatres throughout the United States is under way."

After giving credit to all those who have helped in the work, Mr. Flinn concludes his letter to Mr. Wilson as follows:

"In conclusion, your own knowledge of the motion picture industry and your expert advice in organizing broad propaganda campaigns, exemplified by your admirable work as national publicity director for the Liberty Loans, have the highest respect. I am extremely grateful for the opportunity to work with you on a campaign of this importance. May every success attend your numerous activities."

Mr. Flinn gives credit, and rightly so, to all those who have contributed towards the success of this campaign, but says nothing about the hard work he has done himself; and because this is an omission, HARRISON'S REPORTS undertakes to supply it so as to make the record complete.

Every person connected with the motion picture industry should feel proud at the contribution of this industry towards the efforts of our President to rehabilitate the United States. This contribution cannot help reacting most favorably upon the business.



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## AGAIN IN WASHINGTON

It is a surprise to me that those of us who have anything whatever to do with the Code can do any work. None of us knows one minute where we shall be the next minute. Last Saturday I was out of town trying to get some much needed rest; but about midnight I received an emergency call from Washington and Sunday I had to leave for there in haste.

When I arrived in Washington, I had to wait along with others of our groups until the Administrator was free to have a talk with us. In the meantime none of us could do anything.

Let me for a minute drop our own troubles and say something about Mr. Sol A. Rosenblatt. I am in great sympathy with him, particularly during the times when he has to listen to much hot air from persons who are bent upon displaying their wisdom rather than upon presenting a new phase of one of the problems under discussion, hindering the work of the chosen speakers of the groups. And he has to listen to such talk patiently, too considerate of their feelings to put an abrupt end to it.

Since he started the hearings on the Code of the moving picture industry, he has lost more than sixteen pounds weight from hard work, insufficient sleep, lack of rest, and of his earnest and sincere desire to reconcile the conflicting interests of the different groups so that he may be enabled to formulate a Code that will satisfy all groups. Those of us who now and then are inclined to be impatient with the delay should bear in mind that, after all, he is not made of steel.

Now that we have disposed of this matter, which I felt should be, in justice, brought to your attention, let us discuss the possibilities of having a Code finally agreed upon:

Is there a chance?

When I left Washington Tuesday morning to come back to New York, the two opposing groups—the majors and the independents—were farther apart than at any time before; and the prospects for an agreement seemed more remote than ever. The major companies are battling frantically to retain their god-ordained rights, and the independent groups are battling just as determinedly to open up the business so that those who have the ability and the initiative may be able to make a living. The consequence will be that the Deputy Administrator will be compelled to write the Code himself and then present it to the industry with an admonition either to take it or leave it. Monday or Tuesday, next week, will probably be the time when the last Code inning will be played.

There has been more conniving, more political

manipulation, than at any other time during the history of the motion picture industry. The opposition leaves nothing undone to gain its point, even to resorting to misrepresentation. My hurried call to Washington, for example, was for the purpose of straightening out Mr. Jacob Schecter on a statement the opposition had made as to my policy on one of the important problems that mean so much to the independents. Similar misstatements have been made about other leaders of our groups, exhibitors as well as producer-distributors. The purpose back of these misstatements has been to divide us. But I am glad to say that our ranks are, not only holding as solidly as ever, but becoming more solidified. If the fate of the independent cause depends entirely upon proper presentation of our views and upon the justice of our cause, we ought to win with hands down.

But even with all these advantages, we cannot say what will be the outcome of these Code hearings. All I can say is that Mr. Sol Rosenblatt knows the moving picture industry and its people thoroughly, and that all have found him to be intelligent, honest and understanding.

## ABOUT "THE POWER AND THE GLORY"

I have received the following letter from Philadelphia:

"You may be interested to know that after the Fox Theatre here advertised 'The Power and the Glory' 'Two Weeks Only,' it kept it only for one week."

"I understand that Fox is using a superseding contract on this picture, changing its allocation. This indicates that it is not a 'smash.'"

Thus Mr. Lasky's experiment on "Narratage," by which the action is presented topsy-turvy, does not seem to be a box-office success.

The manner of presenting the action on the screen on this picture is faulty. But the worst fault is the fact that a son is shown as having had intimate relations with his stepmother, a fact which causes the father to take his own life when he becomes aware of it. It is the height of bad taste to show such a situation in a picture.

Thus far Mr. Lasky has produced four pictures; every one of them has been an artistic success, but it seems that every one of them will prove a box-office failure.



### "The Private Life of Henry the VIII" with Charles Laughton

(United Artists; release date not yet set; time, 95 min.)

Great Britain has not yet produced a more artistic picture. The settings are lavish, the continuity is smooth, and the direction and acting superb. The acting of Mr. Laughton is, in particular, outstanding: one could search the world over but one could hardly hope to find another actor who would impersonate Henry the VIII with greater realism and more charm than have been impersonated by Mr. Laughton. He succeeds in endowing a villainous character with considerable sympathy.

From the entertainment point of view, however, it may be said that sophisticated audiences will enjoy the picture immensely, but the masses may be bored with it by reason of the fact that the subsequent acts of Henry the VIII are mostly a repetition of earlier acts of his. There is little to the story; it shows merely the intimate details of the King's marriages; and the comedy is broad.

Nothing is shown of the first marriage because the King's first wife was, as explained, too respectable. His second wife (Anne Boleyn) is beheaded for being too ambitious; the third wife dies at childbirth after giving birth to the prince; his fourth divorces him after winning his respect by outwitting him; his fifth is beheaded with her lover for having been unfaithful, and his sixth wife, although a good woman, looked after him with such an eagle eye that she made life miserable for him in his old age.

Much of the comedy is brought about by the King's desires for new wives. Not wanting his subjects to think him lacking in good taste he gets around them by talking about his loneliness, until each time they are forced to suggest another marriage.

The plot has been adapted from the story by Lajos Biro and Arthur Wimperis. It was directed by Alexander Korda. Others in the cast are Robert Donat, Lady Tree, Binnie Barnes, Elsa Lanchester, Miles Mander, Claud Allister and Merle Oberon.

Not suitable for children, adolescents, or for Sundays.

### "Wild Boys of the Road" with Frankie Darro

(First National (1933-34), Oct. 7; running time, 67 min.)

This is a powerful melodrama, with many situations that will stir the emotions deeply. It is a story of today, of the youth of America, and the terrible struggle for existence many of them have to go through because their parents are unable to support them on account of the depression. At heart most of these boys are good, but circumstances are such that they are forced to steal in order to exist. The situations showing them escaping from freight cars on which they had stolen rides and the way they are chased by the police are stirring. But the most powerful situation is the one in which Frankie Darro's pal Edwin Phillips, stunned by a blow in trying to escape from the police, falls on the tracks in the path of an oncoming train; he loses one of his legs. The spectator will be unable to restrain the tears when the boy breaks down at the thought of being without a leg.

Frankie Darro and Edwin Phillips decide to hitch-hike to Chicago to try to obtain positions and thus help their parents who were in straitened circumstances. On a freight train they meet Dorothy Coonan, a young upright girl who knows how to take care of herself, and the three become great pals. She takes them with her to her aunt's apartment in Chicago but while they are there the place is raided and they escape. Again they are on the road, this time with the purpose of getting to New York to earn a living. But they are handicapped by the fact that Edwin had lost one of his legs in an accident while trying to escape from the police. They are halted by police and detectives all along the road but always manage to make their escape. Finally in New York Frankie obtains a position but must have clothes for it. He is given an easy chance of making five dollars by delivering a message. But it develops that it was a hold-up and Frankie is caught. He and his two pals are brought before the judge of the juvenile department and after hearing their story he does what he can to help them. He gets the coat for Frankie and sees that he has the position, and he also obtains employment for the two others.

The plot was adapted from a story by Daniel Ahearn. It was directed by William Wellman. In the cast are Dorothy Coonan, Rochelle Hudson, Ann Hovey, Arthur Hohl, Grant Mitchell, Sterling Holloway, Charles Grapewin, Robert Barrat and others.

There is one situation in which it is intimated that a young girl travelling with the boys is raped. This makes the picture unsuitable for children, adolescents, or for Sundays.

### "Solitaire Man" with Herbert Marshall and Elizabeth Allan

(MGM, Sept. 22; running time, 67 min.)

A fair crook melodrama. Most of the excitement occurs in the second half during an aeroplane trip. It holds one in suspense, and occasional good comedy is injected by Mary Boland, as an interfering passenger. The fact that the hero and the heroine live by their wits makes one lose respect for them, but later some sympathy is aroused because of their attempt to go straight. Although the ending is quite obvious, the interest is held fairly well:—

The hero is the head of a group of crooks who sell stolen jewelry at exorbitant prices. The heroine is one of the group, but they decide to go straight and be married. Another member of the gang, who is also in love with the heroine, steals a necklace and the hero decides to put it back in the safe at the home from which it was taken. While there some Scotland Yard men appear and he is prevented from doing this. But he witnesses a murder of the inspector, and unable to recognize the murderer in the dark he grabs him but the man gets away. However, the hero was able to tear off part of his watch chain. He and his group leave for London by aeroplane and two other passengers are aboard. It develops that the strange man is really the murderer. He was a stool pigeon and the other member of the gang who loved the heroine had tipped him off about the hero being on the plane. He attempts to get the necklace from the hero but is unsuccessful. The other member, ashamed of what he had done, jumps from the plane to his death. The hero sends a radio to the police chief and when they land they are all taken for questioning. A confession is forced from the murderer, but when he attempts to escape he is shot. The other passenger, a woman who had taken a fancy to the hero, tells a lie in order to save him from being involved. The hero and the heroine are freed and look forward to living a good life in the country.

The plot was adapted from a story by Bella and Samuel Spewack. It was directed by Jack Conway. In the cast are Lionel Atwill, Ralph Forbes, May Robson, and others.

Because of the fact that the story deals with crooks it is not suitable for children, adolescents, or Sundays.

### "Too Much Harmony" with Bing Crosby and Jack Oakie

(Paramount (1933-34), Sept. 29; running time, 75 min.)

This back stage musical comedy should please the masses. For the Crosby fans there is plenty of his crooning of popular songs, and for the others there are some good comedy situations, pretty fast action, and the usual type of back-stage singing and dancing. Although the story presents nothing novel it holds the interest because of the comedy. Jack Oakie has an extremely sympathetic role, sacrificing his love for Judith Allen so that she might marry Bing Crosby. One particularly funny scene is where Oakie makes believe he is a wealthy Southern tobacco plantation owner and plays up to Lilyan Tashman in order to win her away from Crosby so that Crosby might be free to marry Judith Allen. In that scene he speaks with a broad southern accent and one fears he will accidentally give himself away by dropping the accent. Harry Green, too, provokes many laughs in his characterization of a temperamental producer. The romance is pleasant.

When Crosby is stranded in a small town while on his way to New York he goes to a theatre. One of the acts consists of Oakie, Skeets Gallagher, and Judith Allen. He is charmed by her voice and goes back stage to see her. He offers to take her to New York and put her in his show. But since she will not leave her two partners he takes them along. They all get into the show and Oakie is disheartened when he notices that Bing and Judith are falling in love with each other. However, Bing is engaged to Lilyan Tashman, a gold-digger, and she will not free him when he asks her to. Oakie and his pals plan to make Tashman think that he, Oakie, is a wealthy man and that he is in love with her. She falls for this and gives Bing his freedom. Later, to her disappointment, she finds out that she had been fooled. The show is a success and Bing and Judith marry.

The plot was adapted from a story by Joseph L. Mankiewicz. It was directed by Edward Sutherland. In the cast are Ned Sparks, Kitty Kelly, Grace Bradley, Mrs. Evelyn Oakie, Anna Demetrio, Henry Armetta, Shirley Grey, and others.

Because of the dirty subtle wisecracks, it is hardly suitable for children, adolescents, or Sundays.



**"I Loved a Woman" with Edward G. Robinson, Kay Francis and Genevieve Tobin**

(First National, Sept. 23; running time, 90 min.)

Poor! In some ways it is reminiscent of "Silver Dollar," for in it one sees the rise and fall of Edward G. Robinson from power to obscurity, and the performance by Robinson is in the same tone. But it is not as effective entertainment as "Silver Dollar" for here each one of the characters is unsympathetic. Robinson is shown as being ruthless, mercenary, and unfaithful; Genevieve Tobin, his wife, is cruel and cold, living only for the day when Robinson would crawl on his knees to her; and Kay Francis, the other woman, is unappreciative, unfaithful and hard. With this combination of leading characters, it is difficult for the spectator to follow with any degree of interest the happenings in their lives. From the moment Robinson changes from a gentle and aesthetic person to a cruel and ambitious one, even going so far as to sell the government poisoned canned meat for the soldiers fighting in the Spanish American war, one loses all sympathy for him. Therefore, in later life, when he meets with disappointments and heart-break, one's emotions are not stirred; one feels it is what he deserved. A demoralizing fact is that by brutality and ruthlessness one can amass a fortune.

In the development of the plot Robinson inherits his father's meat packing business, but has no mind for business. He marries the daughter of another wealthy packer but after a few years he realizes that his marriage is a disappointment. His business is on the verge of ruin when he receives a loan from his father-in-law with the understanding that unless the money is returned in a year the business will merge with his. He meets Kay Francis, a singer, and they become intimate. He sends her to Europe, but before she goes she fires him with ambition to become a leader in industry. After she leaves he becomes ambitious and forges ahead in his business in leaps and bounds by crookedness and otherwise, and repays his father-in-law in less than a year. He is prosecuted for having sold the government poisoned canned food but is acquitted. Kay Francis returns and Robinson's wife knows all about her. She tries to trap them so as to raise a terrific scandal but is unsuccessful. Eventually Robinson learns that the stories about Kay Francis' morals are true and leaves her in disgust. He tries to get comfort from his wife but she shuns him. Years pass and finally Robinson, having overbought supplies during the World War, is bankrupt because the banks refuse to help him further. His wife tells him that she now has her satisfaction in seeing him disgraced and is leaving him. He flees the country a sick man and goes to spend the rest of his days in Greece. Kay Francis comes to visit him once but he is so broken that he does not even recognize her.

The plot was adapted from a story by David Karsner. It was directed by Alfred E. Green. In the cast are J. Farrell MacDonald, Henry Kolker, Robert Barrat, George Blackwood, Robert McWade, and others.

Not suitable for children, adolescents, or for Sundays.

**"Shanghai Madness" with Spencer Tracy and Fay Wray**

(Fox, Aug. 11; running time, 63 min.)

Just fair. For most of the picture the action is slow and one loses interest in the outcome. The closing scenes are exciting and hold one in suspense due to the fact that the heroine's life is in danger. The characters are sympathetic, and one feels pity for the hero who suffers disgrace when he is dismissed from the United States Navy, in which he had been an officer. They were stationed in Shanghai and he had given orders to his men to open fire when they were attacked, without first receiving permission from his superior officers. The fact that this was done for the safety of his men was a side issue.

The heroine, daughter of a wealthy American temporarily residing in Shanghai, is saved by the hero, who had been dismissed from the U. S. Navy for disobeying orders, when she is caught in a mob of protesting people. They fall in love with each other, and despite her father's orders not to see the hero she continues to meet him and casts all pride aside to tell the hero she loves him. The hero is arrested with a group of communists, even though he was not one of them, but had simply been in the same cafe with them. In prison he befriends one of the young Chinese communists who had been mistreated by the police. The boy dies and his father, to show his gratefulness to the hero, puts him on one of his ships. The heroine, in the meantime, had run away from home and the hero, who had to make a

sea trip, put her in the American missionary settlement, telling her to go on to town where he would meet her. Instead she remains at the missionary, and one day it is set upon by a communist army. The hero, returning from his voyage and noticing that the settlement was in trouble, opens fire on the communists, routs them and saves all the occupants of the mission. He is happy to find the heroine safe. He is reinstated as an officer in the Navy for his bravery, and he and the heroine marry.

The plot was adapted from a story by Frederick H. Brennan. It was directed by John Blystone. In the cast are Ralph Morgan, Eugene Palette, Herbert Mundin, Reginald Mason, Arthur Hoyt and Maude Eburne.

Suitable for children, adolescents, and Sundays.

**"S. O. S. Iceberg" with Rod La Rocque**

(Universal, October 23; running time, 77 min.)

The value of this film lies chiefly in the thrilling sights of breaking up icebergs, threatening to engulf the explorers, and in the difficulties these underwent in their efforts to save their lives. At different occasions there is shown that one or more of the explorers lose their lives in the ice-strewn waters of the arctic. Another thrilling scene is that in which the heroine, flying to the rescue of her husband, loses control in landing when she had discovered the survivors and wrecks it against the iceberg. Thrilling is also the attempt of one of the survivors to swim to an Eskimo village four miles away to bring aid. The breaking up of a huge iceberg is a magnificent spectacle.

As to the story itself, it is very thin. It shows five persons setting out to recover valuable data left somewhere in the arctic by the head of a previous exploring party. When their leader fails to return from a "sortie" he had made to survey the ground, the others go in search of him. Their sleigh with the provisions and the dogs fall into the crack caused by the parting of the ice and they have to tread on foot in the hope of saving themselves. They come upon their leader in a cave on an iceberg, ill, and all pitch camp there. By means of their radio they tell the outside world of their plight, giving their position. The radio then goes dead because the batteries had been exhausted. The hero's wife sets out alone to effect their rescue but she wrecks her hydroplane in landing when she had discovered them. They are eventually rescued by another hydroplane.

The picture was photographed on the spot; there are very few studio scenes. The direction is by Tay Garnett; the story by Dr. Arnold Fanck.

Because of the fact that one of the members of the party murders another member, and because of the murderer's salacious thoughts of the heroine, the picture becomes unsuitable for children, adolescents, or for Sunday showing with exhibitors who are extremely careful as to what kind of pictures they show. Though the picture is extraordinary and many will find it extremely entertaining, it is hardly a picture for the masses.

**"My Weakness" with Lilian Harvey and Lew Ayres**

(Fox (1933-34), Sept. 29; running time, 74½ min.)

Fairly pleasant entertainment, suitable mostly for the better class audiences. The story is thin, but the production end is excellent, and the interest is held because of the charming performance by Lilian Harvey, the new Fox star. There are some good comedy situations brought about by the heroine's attempts to marry a wealthy man:—

Lew Ayres' allowance is cut off by his wealthy uncle, who was following the instructions of his young fiancée who was angry at Lew for having spurned her. The uncle suddenly hits upon a plan—if Lew can take the office slavey (Lilian Harvey), turn her into a lady and marry her off to a wealthy man, then he will give him back his allowance. Lew, with the assistance of his many girl friends, makes a charming and beautiful person out of Lilian and decides to marry her off to his uncle's son. Lilian, after much effort, is able to interest the son, but when he proposes decides she does not want him. Then she plays up to the uncle who breaks his engagement with his fiancée and is ready to marry Lilian. But all the time she was in love with Lew and he loved her but refused to admit it. Finally, not being able to bear the idea of Lilian marrying his old uncle, he tells her he loves her and they are united.

The plot was adapted from a story by B. G. DeSylva and Leo Robin. It was directed by David Butler. In the cast are Sid Silvers, Harry Langdon, Susan Fleming, Barbara Weeks, Dixie Francis, Henry Travers, and others.

There are some suggestive remarks; this may make it unsuitable for children, adolescents and for Sundays.



## RULE OR RUIN

In the issue of August 26 I wrote an editorial chiding the exhibitors of Ohio for having failed to give Pete Wood, business manager of Motion Picture Theatre Owners of Ohio, the necessary moral and financial support in his fight against the amusement tax the Ohio Legislature was contemplating putting on the admission tickets, and blaming them for the passage of the tax bill.

An exhibitor of Cleveland complained to this paper for the eulogy I gave to Pete Wood and sent me a circular letter which Pete Wood had sent to the members of the legislature asking that unless the forty cent tickets were exempt from taxation he saw no reason why the legislature should exempt lower price tickets except those of the ten cent denomination. The letter read partly as follows:

"Failing the enactment of a general tax upon all businesses to meet this emergency, we should not object to an exemption of ten cents (which figure eliminates the parks and low admissions on concessions therein), but any exemption beyond this would be palpably unfair to many theatres that, due to competitive admission price situations, are now having a difficult time to survive.

"We further request that you consider our business as a whole and not attempt to draw a line which will tax some theatres and permit others to go scot free. This constitutes class legislation of the most vicious character in that it practically sets up a preferred list of individuals within an industry, and discriminates against those which are compelled to pay the tax. . . ."

In other words, Pete Wood, supposedly the representative of theatre owners, and as such fighting for the preservation of their interests, told the Ohio legislators that, unless they exempted the forty cent tickets, they should tax the tickets of all denominations except the ten cent price. And he asked that the ten cent tickets be exempted not because such an exemption brings relief to the picture theatres, but because it helps "the parks and the low concessions therein."

I read this letter several times to make sure that I did not misunderstand it, for I felt that the moving picture industry could not harbor a person so utterly lacking in sympathy with the cause of those he is supposed to represent. But here it is!

In addition to the fact that the circular is vicious, in that it brought about the passage of the tax bill, its reasoning is stupid, for it calls the exemption of twenty-five cent tickets and down the line in relation to those of the forty cents price class legislation, but does not so color the taxing of fifty or sixty cent tickets or of higher denominations in relation to the forty cent tickets, for the exemption of which he fought. Suppose the legislature exempted the forty cent tickets but taxed those of higher denominations: wouldn't the stage people have the right to call this class legislation? Wouldn't they have the right, in accordance with his reasoning, to say that the legislature had set up a "preferred list of individuals" within the amusement industry? But surely no one could expect reasoning from a person who is so devoid of fairness as to tell the legislature: "If you do not exempt from taxation forty cent tickets tax them all!"

Let us analyze Pete Wood's action to discover the underlying motive: You know that Motion Picture Theatre Owners of America, of which Ed. Kuykendall is President, includes in its membership affiliated theatres. It has become known, in fact, that eighty per cent of the money needed for the upkeep of this organization comes from the dues of the affiliated theatres.

Pete Wood's organization, M.P.T.O. of Ohio, being a member of M.P.T.O.A., naturally includes in its membership affiliated theatres. It is these, in fact, which pay the "freight." It is manifest, then, that the underlying motive of his action was his desire to protect these theatres. As business manager of the organization he receives a certain salary. Most of this salary naturally comes from the dues of the affiliated theatres, for without the affiliated theatre support Pete could not get a salary. Such being the case, Pete must deliver some sort of service for the money his organization gets. And since he was unable to render them a service by preventing the taxation of the forty cent tickets, which is the price charged by these theatres, he tried to render them such a service by "scuttling the ship."

Personally I don't blame Pete Wood so much: perhaps his mind cannot comprehend that a person resorting to such methods loses out in the end. The ones that I blame are those who may have instigated Pete Wood to such action. Though the independent theatre owners will pay, so will those who own the affiliated theatres, for if the independent theatre owner should find the tax burden too heavy to carry he will naturally take it out of the film.

## "MISS LONELYHEARTS" ABANDONED

On Wednesday I received the following telegram from Darryl Zanuck:

"I have decided to abandon title 'Miss Lonelyhearts' and call our picture 'Advice to Lovelorn,' so that the public will not be misled into believing that our original story has anything to do with the 'Lonelyhearts' novel."

I expect to inform the daily newspapers of the United States of Mr. Zanuck's decision.

## SIME SILVERMAN

The industry mourns the death of Sime Silverman, publisher of *Variety*. Whatever disagreements might have existed between different members of the motion picture industry and Sime in the policies of *Variety*, hardly any one will be found who doubted for a moment his sincerity. He wrote as he felt and he wielded great influence in the motion picture industry as well as in all other amusement industries.

Though one Silverman has gone, another remains to carry on—Sid Silverman. I have had the good fortune to become closely acquainted with the son, and all I can say is that Sid Silverman is a person with fine character. No one has any doubts that he will carry on the policies of his father with great spirit and with the same loyalty and idealism as the father carried them.

HARRISON'S REPORTS, while mourning for the father, wishes the son the greatest luck in the world.



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## "The Right to Buy" — Its Meaning and Its Effect

Much confusion seems to exist as to what "The Right to Buy" really means. Most of this confusion has been created, or an attempt for its creation has been made, by so-called independent exhibitors, particularly by the president of the MPTOA. In a statement made to the trade papers last week, he attempted to create the impression that, with the right of an exhibitor to buy film against any competitor established, the independent exhibitors may see tent shows set up in their towns in competition with their theatres, or old, dilapidated theatres that have been closed for some time reopened.

And what is stopping the setting up of such competition now?

It is silly to ask such a question and to answer it; for the setting up of a picture theatre, either by means of a tent, or by reopening an old theatre, is a matter of economics; no one will deliberately throw money away unless he is first reasonably sure that he has some chance of success.

There are, of course, instances where a person thinks he can make money by setting up a competitive place in a town where any person with an ounce of intelligence could have known that there is no chance for a survival, but such persons go into it under the present system no less than they would under any other system. Cases such as these we shall always have. But to use such occurrences to condemn a system that has been propounded to save the business from the clutch of the grasping interests is a misunderstanding of the slogan in some cases, and a deliberate attempt to becloud the issue in others.

Let us see what is happening under the present system: You own a beautiful theatre and have never had any trouble in obtaining the best product; you are able and willing to pay a fair price for film. You have a competitor, of course, but because he owns an old theatre with creaky chairs you don't bother with him: he cannot pay the prices you pay for film and there is enough product left to take care of his needs. Along comes the representative of an affiliated theatre, takes over your competitor and from that time on you cannot obtain any of the products you have been buying for years: by means of his buying power he is able to impose upon the distributors his will. The fact that your theatre is in California and the greatest number of the affiliated chain's theatres may be either in the Middle-west, or in the South, or in the East, makes no difference; he takes the best product and leaves you the culls. In some cases, he buys more pictures than he actually needs so as to keep them away from you. And the odd part of it is the fact that he pays less for the pictures than you have been paying up to this time. Even if you were to offer more money

than you have been paying, willing to sacrifice most of your legitimate profits to maintain the reputation of your theatre, you cannot induce the distributors to sell you the pictures you want: the circuit representative, by threatening that distributor with reprisals in his other theatres, in other states, is able to enforce on such distributor his terms.

In this territory the Loew circuit owns theatres in which it has made not even a cent investment: the independent exhibitors who erected them were compelled to give this circuit a fifty-per cent interest in these theatres, and to turn over the management to it as well, because they could not obtain suitable run film to conduct them profitably otherwise. It is such a condition as this that "The Right to Buy" seeks to remedy.

You may think that such a contingency is too remote to affect you; that the depression has lessened the appetite of the affiliated circuits, and you feel safe for a long time. My advice to you is not to be too sure as to that: with the improvement of business, the old ravenous appetite of the affiliated circuit heads will return, and unless we have a Code that will curb them we shall again see the 1928, 1929 and 1930 practices return; and because of the many lean years that have intervened, such an appetite will be much more ravenous as well as voracious. They haven't had six and seven hundred thousand dollars a year in salaries and bonuses for a long time and they are hungry for them. And the only way for them to have them again is to retain the monopolistic system now in vogue.

If you want a new deal; if you want to break up the monopolistic hold the major companies have on the business, write to Mr. Sol A. Rosenblatt, Deputy Administrator, 4217 Commerce Building, Washington, D. C., and express your desires to him. Tell him that you are for "The Right to Buy," as well as for the discontinuance of the block and blind-selling system.

## THE SEX MANIA OF THE PRODUCERS AND THE CONSEQUENCES

At the National Conference of Catholic Charities, held at the Metropolitan Opera House, October 1, Archbishop Amleto Giovanni Cincignani, Apostolic Delegate to the United States, made the following statement about motion pictures:

"An example in our day is the moving picture, with its incalculable influence for evil. What a massacre of the innocence of youth is taking place hour by hour! How shall the crimes that have their direct source in immoral motion pictures be measured?

(Continued on last page)



### **"Ann Vickers" with Irene Dunne and Walter Huston**

(RKO, Oct. 13; running time, 76 min.)

Good entertainment. The producers have cleaned up the story considerably by omitting the objectionable and dirty situations; in addition, they have presented the love life of the heroine in such a delicate way as to do away with its offensiveness, even though her actions are not in keeping with moral standards. The abortion incident has been taken out. It is the human interest type of entertainment, the kind women enjoy; they will sympathize with the heroine in her many disappointments and in her unhappiness, particularly when she is deserted by the man she loved just when she was to have a baby. Moreover, her devotion to the hero throughout all his disgrace and imprisonment wins respect for her. The performances by Irene Dunne and Walter Huston are excellent and add much to the value of the picture:—

Irene Dunne, a social service worker, meets Bruce Cabot, an army officer during the war, and, thinking he loved her, gives herself to him. But he soon becomes interested in another girl. She soon finds that she is going to have a baby. Befriended by Edna May Oliver, a doctor, she goes away but her baby dies after birth. She soon is plunged into social service work again and this time procures an appointment at a prison. Because she defies the warden, beseeching him to let up on his cruel methods of punishment, she is framed and is forced to resign. She writes a book about conditions at the prison and wins wide recognition. A model prison is set up in New York and she is put at the head of it, and the results she obtains are excellent. At a party given by her doctor friend she meets Walter Huston, a well-known judge. They fall in love with each other, and since he is married to a woman who will not divorce him although she does not live with him, Huston and Irene live together and are happy, particularly when a son is born to them. Huston is indicted for corruptness on the bench and sentenced to prison. Irene is forced to resign from her prison job when the board finds out that she has a child. With Huston in prison, and being without funds, she is forced to write articles to make a meagre living for them. She goes to some influential friends in the hope of procuring Huston's release but she is unsuccessful. But Huston is pardoned after three years and there is a happy reconciliation. Since his wife had divorced him while he was in prison Huston and Irene marry.

The plot was adapted from the novel by Sinclair Lewis. It was directed by John Cromwell. In the cast are Conrad Nagel, Mitchell Lewis and others.

Not suitable for children, adolescents, or Sundays.

### **"Stage Mother" with Alice Brady, Maureen O'Sullivan and Franchot Tone**

(MGM, Sept. 29; running time, 85 min.)

This is a fairly interesting drama of mother love, mingled with cruelty; it is more a woman's picture than a man's. It has the back-stage atmosphere and there are several dance numbers interpolated during the action. One feels a mixture of sympathy and dislike for Alice Brady, as the mother; she is hard and relentless in forming her child's career as a dancer, forgetting that the girl has human feelings and wants to live like other girls do. One scene that will stir the emotions is that in which Maureen O'Sullivan, the daughter, tells her mother what she thinks of her and of her ambitions, stating that she wants nothing more to do with her. This almost breaks the mother's heart, for in spite of her selfishness she loved the girl deeply. The daughter is a sympathetic character, and one pities her when her mother breaks up her romance with Franchot Tone. There are some comedy moments intermingled with the drama.

When her husband dies in an accident during his acrobatic act, Alice Brady takes her baby to Boston to live with her mother-in-law. They are straight-laced people who had never approved of their son's stage venture. Alice finds life very dull and when she is given an offer by an old-time theatrical friend to go in an act with him and also to marry him she accepts. She leaves her baby to be brought up in Boston. When the girl is fourteen years old she comes to New York to live with her mother. The mother is extremely ambitious for her daughter and sets to work giving her stage training. The girl shows marked ability as a dancer and soon becomes famous. But the mother permits no men to pay attention to her and cares for nothing but the girl's success. When the mother undergoes an operation Maureen meets Franchot Tone, and they fall in love; she becomes intimate with him. When the mother recovers and finds out

about it she goes to the boy's parents and accepts a cash settlement. Tone pays Maureen a visit and tells her how terrible he thinks she is and she is heartbroken because she had no idea that her mother would do such a thing. She and her mother go to Europe and on board ship she meets Phillips Holmes, a young English lord. He asks her to marry him but there is one condition that she give up her vulgar mother. At first she thinks she is happy to do this but later changes her mind because she cannot part from her mother. The girl's fine deed makes her mother realize that she should consider her daughter's happiness first. She shows Maureen letters she had received from Franchot Tone in which he begs her to marry him and forgive him for having doubted her.

The plot was adapted from a story by Bradford Ropes. It was directed by Charles Brabin. In the cast are Ted Healy, Russell Hardie, C. Henry Gordon, and others.

Not suitable for children, adolescents, or Sundays.

### **"Footlight Parade" with James Cagney, Joan Blondell, Ruby Keeler and Dick Powell**

(Warner Bros., Oct. 21; running time, 100½ min.)

An excellent comedy with music. For lavishness it surpasses even "42nd Street" and "Gold-Diggers." One of its musical numbers in particular, which comes towards the end, will thrill most spectators. This is a water scene, with girls doing dance formations on top and under the water in such spectacular fashion that it will bring spontaneous applause from most audiences. The whole production is lavish, and although the story is thin it is rather novel in that it gets away from the usual routine back-stage comedy. In this instance, it concerns itself with the business of supplying stage units to motion picture houses, and it is shown that the business of getting them together is, indeed, a hectic one. The action is fast-moving throughout, and the comedy, although risque at most times, will arouse hearty laughter, particularly when Joan Blondell wisecracks. The biggest part of the production comes in the closing scenes when the three song and dance numbers are presented. The novel way in which they are brought about adds to their entertainment value.

James Cagney, a former musical comedy director, is out of a position when talking pictures become the vogue. He hits upon the idea of preparing musical prologues for motion picture houses and selling them on the wholesale idea to chains of motion picture theatres. The business grows but, according to his backers and partners, there are never any profits because all the money goes back into production. Joan Blondell, his secretary, knows that they are doing him out of his profits. So when Cagney's wife, who was supposed to have obtained a divorce but had never obtained it, demands \$25,000 for his release, Joan goes to the partners and demands the money, telling them otherwise she will expose them. She gives the money to Cagney, who turns it over to his wife for his release. But he is furious at his partners and resigns just as they were preparing three prologues for a moving picture theatre chain operator for his approval. Joan finally convinces him that it is a big chance and so he goes back and prepares it but on his own terms. The night for their display is a hectic one. The performers are rushed in buses to three different theatres to try out the prologues. They are a great success and Cagney gets the contract. He realizes that Joan is devoted to him and that he really loves her, and finally proposes; Joan had waited a long time for this.

The plot was adapted from a story by Manuel Seff and James Seymour. It was directed by Lloyd Bacon. In the cast are Frank McHugh, Guy Kibbee, Ruth Donnelly, Hugh Herbert, Claire Dodd, Gordon Westcott, Arthur Hohl, and others.

Because of the racy dialogue it is not suitable for children or adolescents—some of the wisecracks are too dirty; but since it is a big picture exhibitors will have to use their own judgment about showing it on Sundays.

### **"Blind Adventure" with Robert Armstrong, Helen Mack and Roland Young**

(RKO, Sept. 1; running time, 62 min.)

This starts out as a good mystery and dwindles down into a moderately amusing comedy-melodrama, with a rather implausible story. Some of the situations provide excellent comedy, as for instance the one in which the hero and the heroine, in an effort to escape via rooftops, wander into the home of a society woman who was giving a large



party, and are at a loss as to what to say. The closing scenes in which they encounter a gang of international crooks are the most exciting, for the heroine is held prisoner by the crooks, and the hero and his pal are almost killed by them:—

The hero, an American visiting London, is lonesome and wanders about in the fog. He loses his way and wanders into a house to ask directions. There he sees a "dead" man and rushes out for help. He returns with a man but cannot find the body; instead he finds the owners of the house who question his sanity. He becomes friendly with the people, particularly when he is introduced to the heroine, a niece of the owner. She, too, thinks he had been seeing things, but later they both overhear her uncle talking about having shot a man and realize that the hero was right. They meet the supposedly murdered man, who had just been wounded and was hiding in the house, and he sends them with a note to a certain address. The only way out of the house without being detected is by way of the roof and so that is the way the hero and the heroine go. They wander over various rooftops and encounter a genial burglar who joins with them to give them his professional help. When they arrive at the address the heroine is held by the gang, who, it develops, are crooks. Their purpose in holding the heroine is to force her uncle to give them certain governmental military secrets and the man who had been shot in her uncle's home was one of their gang. Both the hero and the heroine now realize that the story the man had told them about her uncle being a crook was a lie. The hero uses his wits by pitting the two leaders against each other. A fight develops. His burglar friend plants all his burglar tools in the gang's pockets so that when the police, who had heard the shots, arrive they arrest the whole gang. By this time the hero and the heroine are in love with each other.

The plot was adapted from a story by Ruth Rose. It was directed by Ernest B. Schoedsack. In the cast are Ralph Morgan, John Miljan, Laura Hope Crews, Henry Stephenson, Phyllis Barry, and others.

Suitable for children, adolescents and for Sundays.

### "Curtain at Eight"

(Majestic Pictures; running time, 69 min.)

Only fair program entertainment. It is a murder melodrama and since the outcome is quite obvious it holds the spectator in just fair suspense. It is rather unpleasant, too, for the leading character, played by Paul Cavanaugh, is a conscienceless philanderer. He brings about the death of a young girl, who believed he loved her but who found out later that she meant nothing to him. It is rather slow in getting started—the entire first half is used to establish the bad character of Cavanaugh; the second half is a little more exciting for it is then that the murder is committed and the detectives set about solving it. Sympathy is felt for Dorothy Mackaill in her attempt to convince her sister that Cavanaugh was not the man for her:—

Cavanaugh, an actor, although married, amuses himself with several young ladies. Among his victims is Marion Shilling, a young sister of Dorothy Mackaill, both of whom are actresses in his play. Dorothy begs Marion to give up Cavanaugh but she refuses. Another one of the cast, a young society girl, thinks that Cavanaugh is going to divorce his wife so as to marry her. On the eve of Cavanaugh's departure for New York, a party is given for him backstage. Marion, realizing now that she had never meant anything to Cavanaugh, kills herself. Dorothy is the only one who knows of this and she goes to the party intent upon killing Cavanaugh. At one time during the party the lights are put out to prepare for a surprise. A shot is heard and when the lights are put on again Cavanaugh is found dead. C. Aubrey Smith, a detective, sets out to solve the murder. He eventually discovers that the murder was committed by an ape that had been used in the play, and who had been amusing herself with the gun. Another man is killed in a similar manner. The society girl is reconciled with her sweetheart who had been unjustly accused of the murder.

The plot was adapted from a story by Octavus Roy Cohen. It was directed by E. Mason Hopper. In the cast are Sam Hardy, Russell Hopten, and others.

Not suitable for children, adolescents, or Sundays.

### "The Avenger" with Ralph Forbes and Adrienne Ames

(Monogram, July 30; running time, 75 min.)

A fairly good murder melodrama, which holds the audience in suspense until the very end. One bad fault is that during most of the picture one is led to believe that the hero had killed several people. Thus one, instead of feeling

sympathy for him, feels revulsion as a result of his actions, and when at the end it is shown that he really had not killed them but merely held them prisoners to turn them over to the police it is difficult to erase the former impression. At the beginning one does sympathize with him, because he had been framed and then had lost the woman he loved. His method of going after the men who had framed him, although not plausible at all times, is ingenious, at least. The heroine is not particularly sympathetic; first she makes no effort to effect the release of the hero and on the contrary marries his enemy; and later, instead of having faith in him, again turns against him.

In the development of the plot the hero, district attorney, is sent to prison for twenty years, framed by his enemies, but unable to prove it. The heroine could have saved him by telling that he had spent the night with her, but she is advised against this. In prison he eventually meets another prisoner, a member of the gang that had framed him, and who himself had been sent to prison framed by his own gang when he became conscience-stricken. This prisoner attempts to escape and is shot. On his death-bed he confesses all, and the hero is released. He is heartbroken when he finds the heroine married to his enemy, the man responsible for framing him. He starts out on a campaign of revenge. One by one members of the gang disappear, and although evidence points to the hero as their murderer, he is not arrested because he had been promised by the chief of police absolute freedom for thirty days in getting his men. The heroine's husband, unable to bear the strain of his guilt, kills himself. The hero then proves to the heroine, who believed him guilty of murder, that he had not killed the men but merely held them prisoners to obtain their confessions and then turn them over to the police. The hero and the heroine are united.

The plot was adapted from a story by John Goodwin. It was directed by Edward L. Marin. In the cast are Arthur Vinton, Claude Gillingwater, Charlotte Merriam, J. Carroll Nash, Burton Churchill, Murray Kinnell, Thomas Jackson, and others.

Because of the reference made to the fact that the hero had spent the night with the heroine, it is unsuitable for children, adolescents, or Sundays.

### "Thunder Over Mexico"

(Principal Distributing; running time, 68 min.)

There has been so much controversy about the editing of this picture, the final form of which is just a small part of the 200,000 feet of film taken by Sergei Eisenstein, that undoubtedly the interest of intelligent people in this country has been aroused, and they will want to see "Thunder Over Mexico." But it is doubtful for mass entertainment since the action is slow, and the characters do not talk. The picture is merely synchronized.

The picture was meant as propaganda to disclose the cruelties towards the slaves in the peonage system during the Diaz regime in Mexico, and the story it tells, which revolves around a poor peon and his sweetheart, is at times stirring. But its greatest attraction is the unusually beautiful photography.

The suffering of the peons concerned will at times stir the emotions. The scene in which the three young brothers are killed is horrible—it shows how they are put into a hole in the ground with just their heads protruding. The murderers rush over them with their horses who trample them to death. The sorrow of the heroine on seeing her sweetheart thus killed is pitiful.

The story concerns a poor peon who is about to marry a charming young girl from a neighboring town. According to the law he must first present her to his master for approval. She is sent up to the master just as his own daughter arrives with her fiancé, and she is forgotten in the excitement that follows. One of the guests who had his eye on her from the time she came in, forces her into a room when no one is looking and attacks her. Her sweetheart hears of this and rushes up to kill the man. He is taken away and the girl is imprisoned. He and his brothers make their escape and are followed by the master's daughter, her fiancé and some soldiers. In the fighting that follows the daughter is killed, and the three young men are caught. They are killed in a brutal manner by having horses trample them to death. There eventually is an outbreak by the peons and the picture ends on a happy note showing their freedom and a change in the laws.

The picture was directed by Sergei Eisenstein, and photographed by Edouard Tisse.

Not for children, adolescents, or Sundays.



"Catholics are called by God, the Pope, the Bishops and the priests to a united and vigorous campaign for the purification of the cinema, which has become a deadly menace to morals. And this is but one of the many evil forces working against the Lord and against His Christ—forces with which Catholic action must wage relentless warfare."

In view of the fact that the gathering in question was one for charity purposes and not to discuss other subjects, the attack against the immorality of the moving pictures by the Apostolic Delegate is extremely significant, particularly because the Catholic hierarchy has heretofore been very tolerant; it shows the magnitude and the extent of the provocation.

And this is not the last attack that will be made: I have been informed reliably that a similar but stronger attack will be made in Washington next month at the Conclave of the Catholic Bishops.

The change of front of the Catholic Church as regards to this industry has been caused, not only by the immorality of most pictures produced nowadays, but no doubt also by the defiant attitude of some producers. I have been informed reliably that at a producer conference in Hollywood last month, called to discuss the causes of the Catholic Church's change of attitude and its effect upon the business, Joe Schenck took such a defiant attitude that he brought down upon himself the ire of every one of the producers present. They all jumped on him and pointed out to him the consequences of his attitude. One of the expressions he used was so foul that it cannot be printed. But since Joe Schenck and his associates are not members of the producer organization, no action can be taken against him by that body.

Catholic sentiment, once aroused, cannot help having a destructive effect upon the box office receipts of the theatres. And the pitiful part about it is the fact that innocent persons will suffer along with the guilty, for the independent exhibitors are innocent—they have nothing whatever to do with the production of pictures, and under the present system they have no right to choose the good pictures and to reject the demoralizing ones.

What the final outcome of the Code will be it is hard to tell, and it will not become known until after or about the time you read this editorial. In the meantime, let us hope that the frantic efforts of the major companies to thwart the good work the independent groups have done will not prove effective. They are so desperate that they are using every means at their disposal to maintain the present system. And only a change of the system, a change that will place the responsibility for the type of pictures shown upon the exhibitor, will stop the attacks on the picture industry by the Catholic Church as well as by the other churches and by every decent element in the country.

#### A "REMAKE" THAT IS LIKE A REISSUE

The fate of remade pictures, even in cases where the first version was of the silent form, have seldom proved successful at the box office, in spite of the fact that new stars were used. Such being the case, how can any producer hope to make a good box office attraction when he uses the same star in such a remake?

I am referring to "Sorrell and Son," which has been announced by United Artists for the 1933-34 season. According to a statement given by United Artists to the trade papers, H. B. Warner has been engaged for the leading part in this picture. Mr. Warner appeared also in the silent version.

No objection would be made if an error of judgment on the part of the producer affected the producer and the distributor alone; but such an objection is in order since also the exhibitor will suffer.

It seems as if the older some producers become the more they forget.

#### THE EFFECT OF "DIRT"

The following is an extract from a letter I received from Mr. H. G. Stettmund, Jr., of Chandler, Oklahoma:

"I was one of a group of men talking the other day when we were joined by a Mr. Blackstone. This gentleman usually is loaded with funny smutty stories. Finally one of the group asked 'Blackie' to tell a story; he replied that he had not heard any for a long time and knew only old ones. One of the group spoke up and said that the talking pictures had ended the smutty stories, and that any time any one wanted good filthy dirt he went to the theatre.

"This seems to be the attitude the public has taken towards the picture theatre and I can not blame them because I know it is the truth. Last week we showed BED OF ROSES and a Mr. Darnell came with his daughter who is about fifteen years old. The next day he sure unloaded on me.

"The movie business is going to be poor until they make clean pictures."

#### AN INCONSISTENCY

When the manager of the New York Academy of Music, a house operated by Skouras Bros., being one of the Fox Metropolitan theatres, announced that he had engaged Mrs. Costello, who recently was tried for the murder of her husband and was acquitted, there was a cry raised against the "polluting" of the picture theatres by engaging as an attraction such a notorious character. The protests were headed by the Skourases and her contract was cancelled. I don't know whether the manager lost his job or not but he must have been reprimanded and told to be more careful of the good name of the industry in the future.

Not many days afterwards the Capitol Theatre, a first-run MGM house in this city, announced the engagement of Aimee Semple MacPherson at a weekly salary of \$5,000 a week. The act "fopped."

That the engagement was resented by the public may be evidenced also by the fact that, when the "flowery" trailer, which is the type used by the Capitol as a rule, was flashed on the screen announcing the engagement of Miss MacPherson, considerable giggling was heard among the audience. I happened to hear the giggling myself while reviewing an MGM picture.

Why should the Costello engagement be ordered cancelled and the MacPherson engagement approved?



## HARRISON'S REPORTS

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## RELEASE SCHEDULES FOR FEATURES

## Columbia Features

(729 Seventh Ave., New York, N. Y.)

3021 Cocktail Hour (Pearls and Emeralds)—Daniels-Scott	June 5
3102 Dangerous Crossroads—Sale-Albertson	June 15
3019 What Price Innocence?—Gombell-Mack	July 1
3022 The Wrecker—Holt-Tobin	July 10
3020 Brief Moment—Carole Lombard	Aug. 19
3023 My Woman—Twelve Trees—Ford-Jory	Oct. 5
Fury of the Jungle—Peggy Shannon	No date set
Man of Steel—Jack Holt	No date set

(End of 1932-33 Season)

## Beginning of 1933-34 Season

4001 Lady for a Day—Robson-William	Sept. 13
4201 Thrill Hunter—Buck Jones (63 min.)	Sept. 30
4211 Police Car No. 17—Tim McCoy (59 min.)	Sept. 30

## First National Features

(321 W. 44th St., New York, N. Y.)

715 Heroes For Sale (Breadline)—Barthelmess	June 17
726 She Had to Say Yes—Young-Talbot	July 15
723 Goodbye Again—Blondell-Williams	Sept. 9
705 I Loved a Woman—Robinson-Francis	Sept. 23
706 Female—Chatterton-Brent-Donnelly	Nov. 4

## Beginning of 1933-34 Season

760 Bureau of Missing Persons—Davis	Sept. 16
775 Wild Boys of the Road—Darro-Hudson	Oct. 7
753 The World Changes—Muni-Astor-Cook	Nov. 25

## Fox Features

(444 W. 56th St., New York, N. Y.)

29 F.P.1 (Red Dancer)—Veidt-Esmond-Fenton	July 28
No release set for	Aug. 4
22 Shanghai Madness—Tracy-Wray	Aug. 11

(End of 1932-33 Season)

## Beginning of 1933-34 Season

403 Pilgrimage—Crosman-Angel-Nixon (reset)	Aug. 18
402 The Last Trail—Geo. O'Brien (60 min.)	Aug. 25
401 Paddy, the Next Best Thing—Gaynor (reset)	Sept. 1
404 The Good Companions—J. Matthews (85 m.)	Sept. 8
405 Charlie Chan's Greatest Case—Oland	Sept. 15
406 Dr. Bull—Will Rogers	Sept. 22
407 My Weakness—Harvey-Ayres-Butterworth	Sept. 29
408 The Power and the Glory—Tracy-Moore	Oct. 6
409 Walls of Gold—Eilers-Foster	Oct. 13
410 The Worst Woman in Paris—Hume-Menjou	Oct. 20
411 Smoky—Jory-Bentley	Oct. 27
412 Berkeley Square—Howard-Angel	Nov. 3
413 My Lips Betray—Harvey-Boles-Brendel	Nov. 10

## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

345 Turn Back the Clock—Tracy-Clarke	Aug. 25
346 Beauty for Sale—Evans-Brady-Kruger	Sept. 1
344 Broadway to Hollywood—Brady-Morgan	Sept. 15
347 Solitaire Man—Marshall-Boland-Robson	Sept. 22

## Beginning of 1933-34 Season

404 Penthouse—Baxter-Loy-Butterworth	Sept. 8
440 Stage Mother—Brady-Tone-Sullivan	Sept. 29
435 Night Flight—Barrymore-Hayes (reset)	Oct. 6
416 Bombshell—Harlow-Tracy-O'Brien	Oct. 13
430 The Chief—Ed Wynn	Oct. 20

## Monogram Features

(1270 Sixth Ave., New York, N. Y.)

Galloping Romeo—Bob Steele	Aug. 25
Ranger's Code—Bob Steele	Sept. 5
The Process Server	Rel. date not yet set
The Ape	Rel. date not yet set

(End of 1932-33 Season)

## Beginning of 1933-34 Season

2011 The Avenger—Forbes-Ames	July 30
2031 Sensation Hunters—Foster-Judge	Sept. 10
2002 Sweetheart of Sigma Chi—Carlisle	Oct. 15
2021 Broken Dreams—Sleeper-Scott	Nov. 1

## Paramount Features

(Paramount Bldg., New York, N. Y.)

3303 The Big Executive—Cortez-Bennett	Aug. 18
3304 This Day and Age—Bickford-Cromwell	Aug. 25
3306 One Sunday Afternoon—Cooper-Wray	Sept. 1
3307 Torch Singer—Colbert-Cortez-Manners	Sept. 8
3305 To the Last Man—Scott-LaRue (72 min.)	Sept. 15
3309 Golden Harvest—Arlen-Morris (71½ min.)	Sept. 22
3308 Too Much Harmony—Crosby-Oakie-Allen	Sept. 29
I'm No Angel—West-Grant-Ratoff	Oct. 6
Tillie and Gus—Fields-Skipworth	Oct. 13
The Way to Love—Chevalier-Dvorak	Oct. 20
Take a Chance—Rogers-Dunn-Knight	Oct. 27
Cap'n Jericho—Arlen-Allen-Standing	Oct. 27



## RKO Features

(Radio City, New York, N. Y.)

- 31112 Melody Cruise (Whoopie Cruise)—Ruggles-Harris ..... June 23  
31127 Cross Fires—Keene-Furness (55½ min.)... June 30  
31159 Flying Devils (Sweet and Kennedy comedy)—Bellamy-Cabot-Judge ..... June 30  
31107 Bed of Roses—Bennett-McCrea ..... July 14  
31145 Double Harness—Harding-Powell ..... July 21  
31134 Headline Shooter (Joel McCrea prod.)—Gargan-Dee ..... July 28  
31132 Before Dawn (Treasure Picture)—Erwin-Oland-Wilson ..... Aug. 4  
31140 No Marriage Ties—Richard Dix ..... Aug. 11  
31115 Blind Adventure (Miracle Night)—Armstrong-Mack (reset) ..... Aug. 18  
31116 The Deluge (Prodigal Daughter)—Shannon-Blackmer-Wilson ..... Sept. 15  
31153 Flaming Gold (Bill Boyd No. 4) (reset)... Sept. 29

### Beginning of 1933-34 Season

- 4109 Morning Glory—Hepburn-Fairbanks, Jr.... Aug. 18  
4129 Raft Romance—Foster-Rogers (reset)... Sept. 1  
4113 One Man's Journey—Barrymore-Robson... Sept. 8  
4127 Midshipman Jack—Cabot-Furness ..... Sept. 22

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Bitter Sweet—All English Cast..... Sept. 22  
The Bowery—Beery-Raft-Cooper-Wray..... Sept. 29  
Broadway Through a Keyhole—Cummings-Columbo-Kelly ..... Oct. 13

## Universal Features

(730 Fifth Ave., New York, N. Y.)

- A5082 Fiddlin' Buckaroo—Maynard (62 min.)... July 20  
A5014 Moonlight and Pretzels (The Flight Commander)—Mary Brian ..... Aug. 3  
A5012 Her First Mate (Zeppelin)—Summerville-Pitts ..... Aug. 10  
A5083 The Trail Drive—Ken Maynard ..... Sept. 4  
A5025 Laddies Must Love (Black Pearls)—Knight-Carlisle-Hamilton ..... Sept. 25  
A5001 Invisible Man—Rains-Stuart ..... Oct. 30

### Beginning of 1933-34 Season

- A7011 Saturday's Millions—Young-Hyams ..... Oct. 9  
A7033 Love, Honor and Oh! Baby—Summerville-Pitts-Teasdale ..... Oct. 16  
A7026 SOS Iceberg—Rod LaRocque ..... Oct. 23  
A7005 Only Yesterday—Boles-Sullivan-Denny... Nov. 6

## Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 405 Captured—Howard-Fairbanks, Jr.-Lukas .... Aug. 19

### Beginning of 1933-34 Season

- 450 Gold Diggers of 1933—William-Blondell.... Sept. 2  
451 Footlight Parade—Cagney-Blondell ..... Oct. 21  
457 Ever in My Heart—Stanwyck-Kruger ..... Oct. 28  
468 Kennel Murder Case—Powell-Astor-Vinson... Oct. 28  
456 The College Coach (The Football Coach)—O'Brien-Dvorak-Powell ..... Nov. 11  
469 House on 56th Street—Francis-Cortez..... Nov. 18

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

#### Beginning of 1933-34 Season

- 4801 Who Said Weaker Sex—World of Sport (11 min.) ..... Aug. 30  
4501 Out of the Ether—K. Kat (cart.) (6½ m.)... Sept. 1  
4601 Movie Struck—Scrappys (cart.) (6 min.)... Sept. 1  
4301 March of the Years No. 1—Old time novelty (11½ min.) ..... Sept. 13  
4602 Sandman Tales—Scrappys (cart.) (6 min.)... Sept. 20  
4502 Whack's Museum—K. Kat (cart.) (6 min.)... Sept. 22  
4802 What the Scotch Started—World of Sport (11 min.) ..... Sept. 27  
4901 Laughing with Medbury in Morocco..... Oct. 1

### Columbia—Two Reels

#### Beginning of 1933-34 Season

- 4101 Mickey's Touchdown—M. McGuire— (19½ min.) ..... Sept. 20  
4107 Hot Daze—Smith and Dale ..... Oct. 1

## Educational—One Reel

- 320926 Hypnotic Eyes—T. Toon (5½ min.) ..... Aug. 6  
(End of 1932-33 Season)

## Educational—Two Reels

- 320506 Trying Out Torchy—Torchy c. (18 min.) . July 23  
(End of 1932-33 Season)

## Fox—One Reel

- 30 Down from Vesuvius—(9 min.)..... Apr. 16  
(End of 1932-33 Season)

(The titles that carry an "E" after the production number are Educational releases and are released by Fox only in the United States.)

### Beginning of 1933-34 Season

- 3401 Pagodas of Peiping—Magic Carpet (8½ min.) ..... Aug. 18  
0401 Where Is My Wandering Boy?—Tintype (8½ min.) ..... Aug. 18  
3402 Shades of Cairo—Magic Carpet (9½ m.)... Aug. 25  
1102E You and I At the Gatepost—As a Dog Thinks Series (9 min.) ..... Aug. 25  
0501E Grand Uproar—Terrytoon (5½ min.).... Aug. 25  
1301 Following the Horses—Adv. of a News Camera Man (9½ min.) ..... Sept. 1  
3403 On Desert Patrol—Magic Carpet (9 min.)... Sept. 1  
0402 For the Man She Loved—Tintype (8 m.)... Sept. 8  
0502E Pick Necking—Terrytoon (5½ min.).... Sept. 8  
3404 Outposts of France—Magic Carpet (9 m.)... Sept. 15  
0601E Your Life Is In Your Hands—Treasure Chest Series (reset) ..... Sept. 22  
0403 Slander's Tongue—Tintype (8 min.)..... Sept. 22  
0503E Fanny's Wedding Day—Terrytoon (5½ min.) ..... Sept. 22  
0801E Enchanted Trail—Romantic jour. (11½ min.) ..... Sept. 22  
0901E The Slow Poke—Stepin Fetchit ..... Sept. 22  
1302 Motor Mania—Adv. of News Cameraman (10 min.) ..... Sept. 29  
3405 Glimpses of Greece—Magic Carpet (9 m.)... Sept. 29  
1101E Walking the Dog—As a Dog Thinks..... Sept. 29  
0404 Twin Dukes and a Duchess—Tintype (9 m.)... Oct. 6  
0701E Not Yet Titled—Baby Burlesk ..... Oct. 6  
0504E Not Yet Titled—Terrytoon ..... Oct. 6  
3406 Playground of Pan—Magic Carpet (9½ m.)... Oct. 13  
1001E Not Yet Titled—Battle for Life (re.)... Oct. 13  
1303 Scouring the Seven Seas—Adventures of A News Cameraman ..... Oct. 20  
0505E Not Yet Titled—Terrytoon ..... Oct. 20  
0602E Not Yet Titled—Treasure Chest ..... Oct. 20  
0405 The Great Train Robbery—Tintype (8½ min.) ..... Oct. 27  
3407 Elephant Trails—Magic Carpet (10½ m.)... Oct. 27  
0902E Not Yet Titled—Song Hit Story..... Oct. 27

### Fox—Two Reels

- 0201E Blue Blackbirds—Moran-Mack (20 min.)... Aug. 18  
1201 Aniachak—Special three reels (27½ m.)... Aug. 18  
0301E Hooks and Jabs—Langdon com. (20 min.)... Aug. 25  
0202E Dora's Dunking Doughnuts—Clyde (19½ min.) ..... Sept. 1  
0302E The Stage Hand—Langdon comedy (22½ min.) ..... Sept. 8  
0204E Farmer's Fatal Folly—Moran-Mack (20 min.) ..... Sept. 15  
0203E Static—Tom Howard comedy (reset)..... Sept. 29  
0303E Merrily Yours—Frolic of Youth..... Oct. 6  
0205E Not Yet Titled—Andy Clyde ..... Oct. 13  
0304E Leave It to Dad—Mermaid comedy ..... Oct. 20  
0101E Not Yet Titled—Musical comedy..... Oct. 27

## Metro-Goldwyn-Mayer—One Reel

- T-713 Papua and Kalabahal—Fitz. Travel. (9 m.)... June 10  
F-730 A Chinaman's Chance—Flip (cart.) (8 m.) . June 24  
F-731 Pale Face—Flip (cartoon) (7½ min.).... Aug. 12  
F-732 The Soda Squirk—Flip (cartoon)..... Sept. 9  
(End of 1932-33 Season)

### Beginning of 1933-34 Season

- M-941 Handlebars—Oddities (10 min.) ..... Aug. 26  
T-901 Dutch Guiana, Land of the Djuka—Traveltalks (10 min.) ..... Sept. 2  
A-961 Not Yet Titled—Goofy Movies ..... Sept. 9  
W-921 Not Yet Titled—Willie Whopper cart.... Sept. 16  
M-942 Menu—Oddities (10 min.) ..... Sept. 23



## Metro-Goldwyn-Mayer—Two Reels

C-650 Thundering Taxis—Taxi Boys com. (16m.) June 24  
R-665 Hello Pop—Revues (17 min.) ..... Aug. 12  
R-666 Let Us Spray—Revues ..... Sept. 9  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

R-871 Beer and Pretzels—Revues (21 min.) ..... Aug. 26  
C-811 Sherman Said It—Charley Chase ..... Sept. 2  
C-821 Bedtime Worries—Our Gang (21 min.) ..... Sept. 3  
C-831 Beauty and the Bus—Todd-Kelly (18 m.) ..... Sept. 16  
C-841 Not Yet Titled—All Star comedy ..... Sept. 23  
C-851 Rhapsody in Brew—Musical com. (20 m.) ..... Sept. 30  
C-801 Busy Bodies—Laurel-Hardy (20 min.) ..... Oct. 7  
R-872 Not Yet Titled—Musical revue ..... Oct. 14

## Paramount—One Reel

T3-2 I Heard—Betty Boop (cart.) (7 min.) ..... Sept. 1  
A3-2 A Bundle of Blues—Headliner (9 min.) ..... Sept. 1  
P3-2 Paramount Pictorial No. 2 (10 min.) ..... Sept. 8  
Z3-2 Hollywood on Parade No. 2 (10 min.) ..... Sept. 8  
Sc3-2 When Yuba Plays the Rumba on the Tuba—  
Screen song (7 min.) ..... Sept. 15  
Y3-2 Screen Souvenirs No. 2—Old time nov.  
(9½ min.) ..... Sept. 22  
R3-3 Water Lure—Spotlight (9½ min.) ..... Sept. 22  
E3-1 I Yam What I Yam—Popeye the Sailor  
(6 min.) ..... Sept. 29  
A3-3 Rumba Rhythm—Headliner (5½ min.) ..... Sept. 29  
T3-3 Morning, Noon and Night—Betty Boop  
(cartoon) (7½ min.) ..... Oct. 6  
P3-3 Paramount Pictorial No. 3 (9½ min.) ..... Oct. 6  
Sc3-3 Boo, Boo, Theme Song—Screen song  
(8½ min.) ..... Oct. 13  
Z3-3 Hollywood on Parade No. 3 (10½ min.) ..... Oct. 13  
Y3-3 Screen Souvenirs No. 3 (10 min.) ..... Oct. 20

## Paramount—Two Reels

LL3-1 Marriage Humor—Langdon com. (19 m.) ..... Aug. 18  
DD3-1 Ducky Dear—Toler comedy (18½ min.) ..... Sept. 1  
BB3-1 Sailors Beware—Crosby (17½ min.) ..... Sept. 15  
Q3-2 On Ice—Palette comedy (20½ min.) ..... Oct. 6  
LL3-2 One Awful Night—Harry Langdon com. ..... Oct. 20

## RKO—One Reel

34209 Puzzled Pals—Tom & Jerry cart. (7½ m.) ..... Mar. 31  
34116 Runaway Blackie—Fables cart. (6½ m.) ..... Apr. 7  
34505 Pathe Review No. 5 (10 min.) ..... Apr. 14  
34601 Grand National Sweepstake Race—Pathe  
News (8 min.) ..... Apr. 14  
34117 Bubbles and Troubles—Fables cart.  
(6½ min.) ..... Apr. 21  
34210 Hook, Ladder and Hokum—Tom & Jerry  
cartoon (7 min.) ..... Apr. 28  
34118 A Dizzy Day—Fables cart. (8 min.) ..... May 5  
34306 Contrast in China—Vagabond No. 6 (10 m.) ..... May 12  
34119 Barking Dog—Fables cartoon (7½ min.) ..... May 19  
34211 In the Park—Tom & Jerry cart. (6 min.) ..... May 26  
34120 Fresh Ham—Fables cart. (7½ min.) ..... June 2  
34506 Pathe Review No. 6 (11 min.) ..... June 9  
34121 Bully's End—Fables cartoon (7 min.) ..... June 16  
34212 Dough Nuts—Tom & Jerry cart. (7½ m.) ..... June 23  
34122 Indian Whoopee—Fables cart. (7 min.) ..... June 30  
34123 Rough on Rats—Fables cart. (7 min.) ..... July 14  
34213 Phantom Rocket—Tom & Jerry cart.  
(6½ min.) ..... July 21  
34124 A.M. to P.M.—Fables cartoon (6½ min.) ..... July 28  
34507 Pathe Review No. 7 (10½ min.) ..... Aug. 4  
34125 Nut Factory—Fables cartoon (7 min.) ..... Aug. 11  
34126 Cubby's World Flight—Fables car. (8 m.) ..... Aug. 25

## Beginning of 1933-34 Season

44401 Antwerp—Vagabond No. 1 (10½ min.) ..... Sept. 8

## RKO—Two Reels

43301 Quiet Please—E. Kennedy com. (20½ m.) ..... Aug. 11  
43601 Flirting in the Park—Blondes & Redheads  
No. 1 (21 min.) ..... Aug. 18  
43801 The Fireman—Chaplin No. 1 (21 min.) ..... Aug. 25  
43101 Murder at Bridge Table—Culbertson No. 1  
(21 min.) ..... Sept. 1  
43501 How Comedies Are Born—Sweet & Gribbon  
No. 1 (19 min.) ..... Sept. 8  
43102 A Forced Response—Culbertson No. 2  
(17 min.) ..... Sept. 15  
43701 Knee Deep in Music—Etting No. 1  
(21½ min.) ..... Sept. 22  
43103 Society Cheaters—Culbertson No. 3 (21 m.) ..... Sept. 29

## United Artists—One Reel

11 Old King Cole—S. Symphony (cart.) (8 m.) ..... July 27  
12 Lullaby Land—S. Symphony (cart.) (7 min.) ..... Aug. 1  
16 Puppy Love—M. Mouse (cart.) (8 min.) ..... Aug. 14  
13 Pied Piper—S. Symphony (cart.) (7½ min.) ..... Sept. 13

## Universal—One Reel

A5209 Strange As It Seems No. 30 (10 min.) ..... July 10  
A5411 Confidence—Oswald cartoon (7½ min.) ..... July 31  
A5210 Strange As It Seems No. 31 (8½ min.) ..... Aug. 7  
A5312 King Klunk—Pooch cart. (8½ m.) (re.) ..... Sept. 4  
A5313 She Done Him Right—Pooch cart. (re.) ..... Oct. 9  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7261 Goofytone News No. 1—Snappy c. (7½ m.) ..... Aug. 28  
A7241 Strange As It Seems No. 32 (9½ min.) ..... Sept. 4  
A7201 Five and Dime—Oswald cartoon ..... Sept. 18  
A7281 Mark Hellinger No. 1 ..... Oct. 2  
A7262 Goofytone News No. 2—Snappy c. (9½ m.) ..... Oct. 2  
A7242 Strange As It Seems No. 33 ..... Oct. 9  
A7202 In the Zoo—Oswald cartoon ..... Oct. 16

## Universal—Two Reels

A6012 Safe Landing—Phantom No. 12 (17 min.) ..... Aug. 7  
A5123 Warren Doane Brevities (19½ min.) ..... Aug. 9  
A5952 Peeping Tom—Sobol No. 4 ..... Sept. 27  
(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7401 A Lone Hand—Gordon of Ghost City  
No. 1 (21½ min.) ..... Aug. 14  
A7402 The Stampede—Gordon No. 2 (21 min.) ..... Aug. 21  
A7403 Trapped—Gordon No. 3 (20 min.) ..... Aug. 28  
A7190 World's Greatest Thrills (Spec.) (19 m.) ..... Aug. 28  
A7404 The Man of Mystery—Gordon No. 4  
(19 min.) ..... Sept. 4  
A7161 On the Air and Off—Mentone Mus. No. 1  
(19 min.) ..... Sept. 6  
A7405 Riding for Life—Gordon No. 5 (20½ m.) ..... Sept. 11  
A7406 Blazing Prairies—Gordon No. 6 (20½ m.) ..... Sept. 18  
A7162 All At Sea—Mentone No. 2 (21 min.) ..... Sept. 20  
A7407 Entombed in the Tunnel—Gordon No. 7 ..... Sept. 25  
A7408 Stampede—Gordon No. 8 ..... Oct. 2  
A7409 Flames of Fury—Gordon No. 9 ..... Oct. 9  
A7101 (7102) Stung Again—Doane No. 1 (re.) ..... Oct. 11  
A7410 Swimming the Torrent—Gordon No. 10 ..... Oct. 16  
A7163 The Big Benefit—Mentone No. 3 ..... Oct. 18  
A7411 A Wild Ride—Gordon No. 11 ..... Oct. 23  
A7102 Open Sesame—Armetta comedy ..... Oct. 25

("He Couldn't Take It" listed in the last Index as No. A7101, release date Aug. 29, has been postponed and will be given a new production number.)

## Vitaphone—One Reel

### Beginning of 1933-34 Season

8001 Hot From Petrograd—Apollon & Band  
(10½ min.) ..... Sept. 2  
8301 Walter Donaldson—Betty Keane (10 min.) ..... Sept. 9  
8101 Buddy's Day Out—Looney Tune (7½ min.) ..... Sept. 9  
8201 Exploring the Pacific—Travel with music  
(10½ min.) ..... Sept. 16  
8302 Admission 5 Cents—Oldtime nov. (10½ m.) ..... Sept. 23  
8114 I've Got to Sing a Torch Song—Merrie  
Melody cartoon (6½ min.) ..... Sept. 30  
8002 Barber Shop Blues—Claude Hopkins  
(9½ min.) ..... Sept. 30  
8303 Rock-a-Bye-Bye—Dr. Rockwell (11 min.) ..... Oct. 7  
8202 Samoan Memories—Musical journey (10 m.) ..... Oct. 14  
8102 Buddy's High Jinks—L. Tune cartoon ..... Oct. 21  
8304 Laughs in the Law—Dan Coleman ..... Oct. 21  
8003 Rubinoff and His Orchestra (10½ min.) ..... Oct. 28

## Vitaphone—Two Reels

### Beginning of 1933-34 Season

7501 Use Your Imagination—Hal LeRoy (18 m.) ..... Sept. 2  
7502 Rufus Jones for President—Musical comedy  
(21½ min.) ..... Sept. 9  
7601 Salt Water Daffy—Comedy (21½ min.) ..... Sept. 16  
7503 Seasoned Greetings—Lita G. Chaplin (20 m.) ..... Sept. 23  
7602 Close Relations—Arbuckle-Judels (21½ m.) ..... Sept. 30  
7504 Paul Revere, Jr.—Gus Shy (21½ min.) ..... Oct. 7  
7505 Operator's Opera—Musical (21 min.) ..... Oct. 14  
7603 Gobs of Fun—Givot-Judels (c.) (21½ m.) ..... Oct. 21  
7506 'Tis Spring—Jenkins-tech. comedy ..... Oct. 28  
7604 Turkey in the Raw—Shy-Hubert (com.)  
(21 m.) ..... Nov. 4



# RELEASE DAY CHART FOR ALL NEWS WEEKLIES

	Pathe News		Universal News		Fox News		Paramount News		Metrotone News	
	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.
Albany .....	Fri. 0	Tues. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Atlanta .....	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1
Boston .....	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Wed. 0
Buffalo .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte .....	—	—	Tues. 3	Sat. 3	—	—	—	—	Wed. 4	Sat. 3
Charleston .....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Charlotte .....	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Cincinnati .....	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Cleveland .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Columbus .....	—	—	—	—	—	—	Sun. 1	Wed. 0	Sat. 0	Wed. 0
Dallas .....	Sun. 1	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Denver .....	Thur. 5	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Sun. 1	Fri. 2	Wed. 4	Sat. 3
Des Moines .....	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit .....	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
El Paso .....	—	—	—	—	—	—	—	—	—	—
Indianapolis .....	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Jacksonville .....	Mon. 2	Thur. 1	—	—	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City .....	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles .....	Fri. 6	Tues. 6	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis .....	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Minneapolis .....	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
New Haven .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
New Orleans .....	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Tues. 3	Sat. 3	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New York .....	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City .....	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Omaha .....	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Peoria .....	—	—	—	—	—	—	—	—	—	—
Philadelphia .....	Fri. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Pittsburgh .....	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Portland, Ore. ....	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Portland, Me. ....	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis .....	Sun. 1	Fri. 2	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Salt Lake City .....	Wed. 4	Sun. 4	Thur. 5	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
San Antonio .....	—	—	Wed. 4	Sat. 3	—	—	Sun. 1	Thur. 1	Wed. 4	Sat. 3
San Francisco .....	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Seattle .....	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Fri. 2	Wed. 4	Sat. 3
Sioux Falls .....	Sun. 1	Wed. 0	Wed. 4	Sun. 4	—	—	Sun. 1	Fri. 2	—	—
Washington .....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Wichita, Kans. ....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes-Barre .....	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Calgary .....	—	—	—	—	Fri. 6	Tues. 6	A combination of both issues is sent on Tuesdays to Toronto to which distributes it to the other Canadian exchanges.		—	—
Montreal .....	—	—	Sun. 1	—	Mon. 2	Fri. 2			—	—
St. John .....	—	—	—	—	Mon. 2	Fri. 2			—	—
Toronto .....	—	—	—	—	Mon. 2	Fri. 2			—	—
Vancouver .....	—	—	—	—	Thur. 5	Tues. 6	—	—	—	—
Winnipeg .....	—	—	Thur. 5	Mon. 5	Tues. 3	Sun. 4	—	—	—	—

## HOW THE AGE OF A PARTICULAR NEWSWEEKLY ISSUE MAY BE COMPUTED

Suppose you desire to find out whether the exchange delivers your newsweeklies at the age you contracted for!

First look at the Release Day Chart under the column of the company whose weeklies you show. You will notice that there are little numbers by the side of the days. The meaning of these numbers is as follows:

Newsweeklies are released by all the companies in New York on Saturdays and on Wednesdays. The issue of any company is one day old in New York on the day of its release, whether such day is Saturday or Wednesday.

But it takes time for a print to reach another zone. To reach Dallas, for example, it takes 4 or 3 days by train. Naturally you cannot consider a Newsweekly one day old on the day of its release in New York when it reaches that zone four days later. The practice of each company has been to consider a Newsweekly one day old on the day of its arrival and release in a particular zone. The little number by the side of each day in the Chart indicates how many days later than the New York Release Date a particular issue may be considered one-day old in a particular zone.

Suppose you desire to find out how old is a Saturday release of the Universal News in Portland, Oregon. Look in the Saturday Column of the Universal News in the Release Day Chart; run down the column until you reach the

line opposite Portland. The day given is Wednesday, and the figure is "4." Accordingly, the Saturday issue of the Universal News, which is one day old in the New York zone on that day, is one day old in Portland on Wednesday; that is, four days later.

Universal News No. 188 will be released in the New York zone on Saturday, October 14, and in the Atlanta, Charlotte, Kansas City, Memphis, Minneapolis, New Orleans, Omaha, and Pittsburgh zones two days later; that is, on Monday, October 16, on which day it will be one-day old.

Pathe News No. 45224, which is an Even Issue, will be released in the New York zone on Wednesday, October 18, and in the Dallas, Denver, New Orleans, and the St. Louis zones two days later, that is, on Friday, October 20, on which day it will be one-day old.

Fox Movietone News No. 12 will be released in the New York zone on Saturday, October 28, and in the Dallas, Denver, New Orleans and Winnipeg zones three days later, that is, on Tuesday, October 31, on which day it will be one-day old.

Paramount News No. 26 will be released in the New York zone on Wednesday, November 1, and in the Denver, Seattle and Sioux Falls zones two days later.

Metrotone News No. 208 will be released in this zone Saturday, October 21, and in the Butte, Dallas, Denver, Los Angeles, Salt Lake City, San Antonio, San Francisco, and Seattle zones four days later, or Wednesday, October 25, on which day it will be one-day old.

## NEWSWEEKLY NEW YORK RELEASE DATES

### Universal News

180	Saturday	....	Sept. 16
181	Wednesday	..	Sept. 20
182	Saturday	....	Sept. 23
183	Wednesday	..	Sept. 27
184	Saturday	....	Sept. 30
185	Wednesday	..	Oct. 4
186	Saturday	....	Oct. 7
187	Wednesday	..	Oct. 11
188	Saturday	....	Oct. 14
189	Wednesday	..	Oct. 18
190	Saturday	....	Oct. 21
191	Wednesday	..	Oct. 25
192	Saturday	....	Oct. 28
193	Wednesday	..	Nov. 1

### Pathe News

45115	Sat. (O.)	..	Sept. 16
45216	Wed. (E.)	..	Sept. 20
45117	Sat. (O.)	..	Sept. 23
45218	Wed. (E.)	..	Sept. 27
45119	Sat. (O.)	..	Sept. 30
45220	Wed. (E.)	..	Oct. 4
45121	Sat. (O.)	..	Oct. 7
45222	Wed. (E.)	..	Oct. 11
45123	Sat. (O.)	..	Oct. 14
45224	Wed. (E.)	..	Oct. 18
45125	Sat. (O.)	..	Oct. 21
45226	Wed. (E.)	..	Oct. 25
45127	Sat. (O.)	..	Oct. 28
45228	Wed. (E.)	..	Nov. 1

### Fox Movietone

104	Saturday	....	Sept. 16
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### 1933-34 Season

(Vol. 7)

1	Wednesday	..	Sept. 20
2	Saturday	....	Sept. 23
3	Wednesday	..	Sept. 27
4	Saturday	....	Sept. 30
5	Wednesday	..	Oct. 4
6	Saturday	....	Oct. 7
7	Wednesday	..	Oct. 11
8	Saturday	....	Oct. 14
9	Wednesday	..	Oct. 18
10	Saturday	....	Oct. 21
11	Wednesday	..	Oct. 25
12	Saturday	....	Oct. 28
13	Wednesday	..	Nov. 1

### Paramount News

13	Saturday	....	Sept. 16
14	Wednesday	..	Sept. 20
15	Saturday	....	Sept. 23
16	Wednesday	..	Sept. 27
17	Saturday	....	Sept. 30
18	Wednesday	..	Oct. 4
19	Saturday	....	Oct. 7
20	Wednesday	..	Oct. 11
21	Saturday	....	Oct. 14
22	Wednesday	..	Oct. 18
23	Saturday	....	Oct. 21
24	Wednesday	..	Oct. 25
25	Saturday	....	Oct. 28
26	Wednesday	..	Nov. 1
27	Saturday	....	Nov. 4

### Metrotone News

302	Saturday	....	Sept. 16
303	Wednesday	..	Sept. 20

### 1933-34 Season

200	Saturday	....	Sept. 23
201	Wednesday	..	Sept. 27
202	Saturday	....	Sept. 30
203	Wednesday	..	Oct. 4
204	Saturday	....	Oct. 7
205	Wednesday	..	Oct. 11
206	Saturday	....	Oct. 14
207	Wednesday	..	Oct. 18
208	Saturday	....	Oct. 21
209	Wednesday	..	Oct. 25
210	Saturday	....	Oct. 28
211	Wednesday	..	Nov. 1



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Vol. XV

SATURDAY, OCTOBER 14, 1933

No. 41

## THE CODE MUDDLE

On Wednesday last week the Deputy Administrator of the NRA presented to the industry in Washington the Code.

The independent groups were astounded in that they found that none of the major questions were touched upon and in some of the minor questions the Code did not go as far as they expected. The representatives of the independents were, in fact, downcast because they felt that they were getting no relief from the oppressive methods employed by the major companies against them. They particularly remembered the castigation the Deputy Administrator gave the representatives of the major companies on September 15, when he told them that the methods they employed were a *stench in the nostrils of the Administration* and yet the code did not contain anything that would bring relief from these very same methods.

The representatives of the independents—producers, distributors, and exhibitors—were driven into coalition as a result of this situation.

When the Deputy Administrator presented the Code on Wednesday afternoon, he told the representatives of the different groups to study it that night and to appear before him at ten o'clock the following morning ready to sign it. The representatives of the independent groups protested at the shortness of time granted them, pointing out to him that a sixty-page document of that importance could not be studied and digested in so short a time and asked Mr. Rosenblatt why they could not be given the same length of time the major companies had been given, which was ten days.

The representatives of the independents then retired to Wardman Park Hotel and began reading the code. The more they read it the hotter under the collar they became and then and there decided that there was no use their attending any further meeting and that it would be best for their interests so to inform the Administrator, notifying him that they would submit a brief, analyzing the different provisions of the Code and pointing out its failures.

The following morning a meeting was held by all the independents at the Wardman Park Hotel and they formed a coalition; it was decided that the four lawyers who represented the different independent groups—Myers, of Allied; Schechter, of the Federation; Klupt, of Century Circuit (New York); and Weisman, of the Independent exhibitors (New York)—act as the board of strategy.

During the day (Thursday) there was talk around that the Administrator would be glad to confer with the independents and Mr. Schechter suggested that it was their duty to meet with him, because he, after all, represented the United States Government. After much discussion it was decided

to invite Mr. Rosenblatt to a conference and a committee was sent to him to acquaint him with the decision of the coalition.

The coalition felt it would be best if only one of the lawyers acted as a lone spokesman so as to avoid unnecessary discussion and delay, and the post was offered to Mr. Myers. But Mr. Myers was so busy working on the Code brief that he suggested that Mr. Schechter act as the spokesman.

There was a tense feeling when Mr. Rosenblatt appeared in the meeting hall at the Mayflower Hotel, in the evening. Mr. Schechter presented to the Administrator the views of the independents; he pointed out the Code's faults and called his attention to the fact that the most important points, such as, the right to buy, the morality Code and others were not touched upon, that the total separation of features from shorts was not effected, and that the Code Authority was so framed as to grant preponderance of representation to the major companies. The explanations Mr. Rosenblatt gave to Mr. Schechter did not seem satisfactory to the groups and the meeting broke up with the understanding that Mr. Rosenblatt wait for the brief that would be submitted to him by the lawyers of the independent groups. He set the date Wednesday, October eleven, on which to receive the document.

Before taking any definite stand on the Code as submitted to the industry by Mr. Rosenblatt, HARRISON'S REPORTS will wait to receive and study the final Code draft, and the brief that will be submitted by the independents. The matter is too serious for a paper such as this, or for any person or group of persons, in fact, to make hasty decisions, because this time we are dealing not with the producers but with the United States Government, and a wrong advice to the exhibitors may have serious consequences to those who will take it.

## PARAMOUNT GOING COMPLETELY DIRTY

At the Paramount Theatre, this city, is appearing this week the notorious Sally Rand, who puts on the act for which she has been arrested, her case now pending in the courts. I have not seen the act, but I understand that she appears completely in the nude, with her front covered with a fan, but her back entirely exposed.

In the lobby, there is a picture of her each half of the body lit alternately. The upper half is covered with a fan; the lower is like Eve's.

Who would have ever thought that the day would come when the great Paramount organization should have descended to this?

The Paramount dirtiness does not stop there: a few days ago they announced the acquisition of

(Continued on last page)



**"Her Forgotten Past" with Monte Blue***(Mayfair Pictures; running time, 56 min.)*

Ordinary program fare. Some sympathy is felt for the heroine when she finds out that her husband is a crooked gambler, earning his livelihood in that manner; but this is not enough to hold the interest throughout. The hero is a sympathetic character in his fight against gangsters. The closing scenes in which the hero corners the murderer are fairly suspenseful.

In the development of the plot the heroine leaves her husband when she finds out he is a gambler, and goes back to live with her father. She soon reads an item in a newspaper that her husband had been killed in an automobile accident. On a trip with her father she meets the hero, district attorney, and they fall in love with each other. They marry without the heroine's telling him about her former marriage. Her former husband turns up, the newspaper item apparently having been incorrect, and demands money and jewels which she gives him. He is murdered as soon as he leaves the house by a henchman of a gangster who had come to the hero's house to plant evidence against him and so spoil his chances at election. It is finally cleared up when the hero corners the murderer and forces a confession.

The plot was adapted from a story by George Morgan, and directed by Wesley Ford. In the cast are Barbara Kent, Henry Walthall, Eddie Phillips, William V. Mong, Dewey Robinson, and others.

Suitable for children, adolescents, and Sundays.

**"Chance at Heaven" with Ginger Rogers, Joel McCrea and Marian Nixon***(RKO, Rel. date not set; running time, 71 min.)*

Pleasant entertainment, with human interest and comedy. In addition, it has been cast so well that the different characterizations give realism to the picture; they seem to have stepped out of the story. The plot is simple, but the interest is held because of the sympathy the characters arouse. One even sympathizes with Marian Nixon, who wins Joel McCrea from Ginger Rogers, because one is made to feel that marriage and living away from her wealthy surroundings was a real lark to her and she believed she could enjoy it. Ginger Rogers has the respect of the audience at all times because of her honesty and sportsmanship:—

Joel McCrea and Ginger Rogers are engaged to be married. He runs a gas station in their small town and is saving his money to buy a chain of them. Marian Nixon, the young and naive daughter of a wealthy society woman who had taken a cottage in the town for the summer, stops at his station and he falls in love with her and she with him. Her mother had planned to have Marian marry a man of their own set but Marian wanted to live her own life. Ginger realizes that McCrea is infatuated with Marian and releases him from their engagement. He elopes with Marian and despite her mother's objections he insists that she live in the country and within his income. Everything is jolly for her until she learns she is going to have a baby. Her mother takes her to New York for better care and her stay there extends into months. When Ginger tells McCrea that she had a wife from Marian telling her to ship her things to California McCrea realizes something is wrong and goes to New York. He finds a changed Marian—more sophisticated; furthermore, she tells him she belongs with her own set and does not love him anymore; also there is to be no baby. McCrea leaves them in a rage and goes away to forget. Ginger runs his home and business while he is away. Marian eventually obtains a divorce and McCrea comes back to his home to find Ginger cooking and makings things comfortable. He tells her he had been a fool and that he really loves her.

The plot was adapted from a story by Vina Delmar. It was directed by William Seiter. In the cast are Andy Devine, Lucien Littlefield, and others.

Suitable for children, adolescents and Sundays. There is a suggestion of an abortion operation, but is implied so delicately that even many adults will miss the point.

**"The Deluge" with Peggy Shannon and Sidney Blackmer***(RKO, Sept. 15; running time, 67 min.)*

A thrilling melodrama. The first half presents a novel idea. It shows how a tidal wave and earthquake envelopes the world, destroying everything. These scenes, which show the collapse of the New York skyscrapers, the uprooting of trees, the washing away of homes and people, have been

done in miniature; but they give the impression of being real. The second half concerns itself with the survivors, particularly the hero and the heroine, and is a mixture of human interest and melodrama. Parts of it are unpleasant, as for instance, the bestial behavior of a gang of men who attack a young girl. The scenes showing the heroine's escape from the gang will hold one in suspense. Human interest is aroused by the situation that develops when the hero, who had believed his wife and children to be dead and had fallen in love with the heroine, is finally reunited with his wife. The characters arouse sympathy. But the story is not very strong:—

When the tidal wave and earthquake sweep over the hero's home and destroys New York, he is injured, and when he regains consciousness can find no trace of his wife and children. By gathering foodstuffs and materials that he can find, he builds a ramshackle hut for himself and collects all the food supplies, realizing how important they are for his existence. The heroine, who had been rescued by two rough men, escapes from them when she realizes what their intentions towards her are. She swims to the shore where the hero had pitched his tent and then faints. He finds her, gives her food and they become good friends, eventually falling in love with each other and living together. The men she had escaped from find her and take her to the gang's hideout. With the aid of the hero she escapes again and they hide in a cave, fighting off the gang with the few remaining bullets they had. They are saved just in time by a group of citizens who had gone to wipe the gang out. They are taken to the town and there the hero is amazed and happy to find his wife and children, alive and well. He tells his wife all and does not know what to do since he loves both women. But the heroine cannot bear to share him with his wife and so she swims away from the settlement to start life anew somewhere else.

The plot was adapted from a story by S. Fowler Wright. It was directed by Felix E. Feist. In the cast are Lois Wilson, Mat Moore, Fred Kohler, Ralf Harolde, and others.

Not suitable for children, adolescents, or for Sundays.

**"Dance, Girl, Dance" with Evalyn Knapp and Alan Dinehart***(Invincible Pictures; running time, 70 min.)*

This is a well-produced independent picture and is good entertainment. It has human interest, comedy, some pleasing musical numbers, and holds the attention to the very end. The fact that Evalyn Knapp gives up the love of Alan Dinehart, a decent man, for Eddie Nugent, who is not worthy of her, may seem a bit illogical, but this will probably please most audiences since Nugent is the father of her child and repents for his unfair treatment of Evalyn. The sympathy one feels for her is what holds the interest throughout, although the role might have been played with a little more life and feeling than it is played here. Ada May, a well-known comedienne and dancer, is good in a small part as a night club entertainer, putting over her numbers with effectiveness. Since Evalyn Knapp cannot sing, her singing is superimposed:—

Evalyn Knapp and Eddie Nugent, partners in a vaudeville act, had been living together although unmarried. He becomes infatuated with a girl in another act and induces her to join his act. He puts Evalyn out and deserts her. He does not know she is going to have a baby. Befriended by their former manager, Evalyn is engaged as a dancer in a night club owned by Alan Dinehart, who falls in love with her. She is soon forced to leave, telling Dinehart she needs a rest. He finances her and knows all the time about the baby. When she comes back she still thinks he knows nothing about her affair and their friendship continues. She becomes an over-night sensation as a singer and composer and is happy. She receives a shock when she notices Eddie working as a waiter at the night club. That night he visits her at her apartment and finds out about the baby. He is remorseful and repentant and begs for her forgiveness but she tells him to leave. When Dinehart proposes to her, telling her he knew about the baby all the time, she refuses him because she feels it is not fair for her to burden him. Eventually she marries Eddie, and rejoins him in a new act.

The plot was adapted from a story by Robert Ellis. It was directed by Frank R. Strayer. In the cast are Mae Busch, Theo. Von Eltz and Gloria Shea.

Not suitable for children, adolescents, or Sundays.



### **"The Bowery" with Wallace Beery, George Raft, Fay Wray and Jackie Cooper**

(United Artists, Sept. 29; running time, 92 min.)

Because of the great popularity of the stars in "The Bowery" this picture should do big business. But it is only fairly good entertainment, fast and racy, with comedy which borders a good deal on vulgarity, and it is the type of picture that should be enjoyed more by men. Incidentally, the most attractive part of it is the atmospheric setting of the old Bowery days, with all its dirt, glamour, and bad manners, for there is little to the story, which is a constant battle between Wallace Beery and George Raft for supremacy on the Bowery. Their fights occasionally are funny, the most hilarious one being during a fire to which each man with his own volunteers rushes. When they arrive there they forget all about the fire and instead start a free-for-all fight in which everything around them is broken while the house burns down to the ground.

Wallace Beery is effective as the vulgar Chuck Connors; he provokes laughter by his vulgarities and wins sympathy because of his devotion to Jackie Cooper, who lives with him, and of his kindness to the heroine. The situation in which Cooper leaves him because he resents Fay Wray's presence in the house makes one feel quite sorry for him. Fay Wray does not win sympathy because she betrays Beery's confidence by carrying on a love affair with George Raft, Beery's most hated enemy, while Beery was continuing to give her a home and being kind to her.

The most exciting situation is the one in which Raft, who had never taken a dare, is forced to jump off the Brooklyn Bridge. The bridge is crowded with spectators who had gone there with their children and with lunch baskets, so as not to miss the great show. Raft's reward is Beery's saloon, which was put up as Beery's share of a bet that Raft would not jump. When Beery hears that Raft had made it, he permits Carrie Nation, the noted reformer, to smash up the contents of the saloon.

Beery finds himself down and out with no friends. He joins up with the army to go to war. But first he has a battle with Raft because he feels he had been cheated out of his saloon. Raft is beaten up so badly that he is sent to a hospital and again Beery becomes popular. He is taken to the hospital for identification but Raft refuses to press charges. Jackie Cooper, who loved Beery and wanted him to be friendly with Raft, forces them to shake hands. Again, not wanting to take a dare, Raft leaves the hospital and joins the army with Beery and they both go off to war. Fay Wray promises to wait for Raft, and Beery forgives her.

The plot was adapted from a story by Bessie Rogow Solomon and Michael L. Simmons. It was directed by Raoul Walsh. In the cast are Pert Kelton, George Walsh, Oscar Apfel, Ferdinand Munier, Herman Bing, Harold Huber, Fletcher Norton, and others.

Children under twelve will not understand some of the implications; but it is not suitable for adolescents or Sundays.

### **"Her Splendid Folly" with Lillian Bond**

(Hollywood Pictures; running time, 58 min.)

A fair dual role program picture. The plot is a little far-fetched, but it holds one in fair suspense because of the heroine's impersonation of another girl and the fear one feels lest this be discovered. Sympathy is felt for the heroine, who is actually forced into taking the other girl's place. There is some comedy provided by an excitable motion picture producer who is always worrying about the money that he is spending on making the pictures.

In the development of the plot the heroine is engaged to act as double for a well-known motion picture star, to whom she bore a striking resemblance. When the star is killed in an automobile accident the producer, the hero (leading man), and the director, plead with the heroine to step into the girl's place and finish the picture which had cost them much money. Complications follow when she falls in love with the hero who loves her, too. One of the actors asserts that he is her husband, and not wanting to spoil the chances of finishing the picture the heroine does not tell him the truth. She marries the hero, and when the other man threatens to have her arrested for bigamy, the truth is told to him and he apologizes.

The picture was directed by William O'Connor. In the cast are Alexander Carr, Theo. Von Eltz, Beryl Mercer, Frank Glendon, Roberta Gale, and others.

Suitable for children, adolescents, and Sundays.

### **"Charlie Chan's Greatest Case" with Warner Oland and Heather Angel**

(Fox, 1933-34 (Sept. 15); running time, 71 min.)

A fair murder mystery melodrama. The audience is kept in suspense for the murderer's identity is not made known until the very end, and then it comes as a surprise since he was the one least suspected. But this picture is not up to the standard of the other Chan pictures, in that the action is slow and the mystery of the murder is not as absorbing as in the others. For one thing it takes a long time before it gets into the plot. In addition, most of the acting is stilted and the direction slow. However, it should appeal to the followers of the Chan pictures for Warner Oland, as usual, gives an excellent portrayal of the Chinese detective, mixing all his talk with quaint sayings and proverbs.

In the development of the plot a man who was hated by many people is found murdered. The police are baffled, and the chief calls in Charlie Chan to help him unravel the mystery. Chan questions the murdered man's family, including his daughter and her fiancé, a lawyer who had taken charge of the dead man's affairs. The heroine's father, who had attempted to blackmail the murdered man, is arrested as the murderer. She is heartbroken, but is assured by the murdered man's nephew that he will see that no harm comes to her father. Chan calls together all the suspects in one room. Then he has his assistant bring in a man who admits having committed the murder and then the man attempts to escape. But he is prevented by the lawyer fiancé who grabs the man's arm and breaks it. It is then that Chan places the lawyer under arrest as the murderer by proving that the father had objected to the man's marrying his daughter, and that he knew he was the murderer because the murdered man's left arm had been broken. He showed further facts to prove this, and the lawyer finally confesses to the crime. The daughter is heartbroken for she had loved the lawyer. The romance which had developed between the nephew and the heroine culminates in marriage.

The plot was adapted from a story by Earl Derr Biggers. It was directed by Hamilton MacFadden. In the cast are Aoger Imhof, John Warburton, Walter Byron, Virginia Cherrill, Ivan Simpson, and others.

It might frighten children; otherwise suitable for them, for adolescents, and for Sundays.

### **"Night Flight" with John Barrymore, Lionel Barrymore, Helen Hayes, Clark Gable, Robert Montgomery and Myrna Loy**

(MGM, October 6; running time, 85 min.)

For an expensive picture, "Night Flight" is a sad disappointment. There is hardly any story material; it merely shows the difficulties of night flying, and the efforts of the head of the airport to give real service, regardless of how much the lives of the pilots are endangered. Mr. John Barrymore, head of the "outfit," does nothing else but look austere and give heartless orders; Lionel Barrymore, one of the second-rank executives, occupies a great deal of his time scratching his body as if he were full of fleas; Helen Hayes spends her time preparing dinner for her husband, a pilot, who is never to come back again; the pilots are shown in closeups or long shots flying through stormy weather, with their lives in danger, and other characters do other things that are either fairly significant or insignificant. But these are all episodes; the plot itself is extremely thin.

The tone of the story is unhappy; it seeks to give the spectator enjoyment by suffering, and even death—the closing scenes show the two parachutes floating over the ocean, indicative of the fate that had overtaken the two pilots of the airplane transport, who had lost their way in the fog.

The picture unfolds in South America; a large map, shows, by means of lighted electric bulbs, the location of the aeroplanes employed to transport passengers and parcels.

The plot has been founded on the novel by Antoine de Saint-Exupéry; it was directed by Clarence Brown.

There are some scenes where the pilots are shown having a good time with women in drinking places. Children under twelve will not understand these scenes. For adolescents: No! For Sundays: No!

NOTE: This material was forecast in the 1932-33 season Forecaster and was pronounced mediocre.



"Sailor Beware," one of the dirtiest, most vulgar shows that have ever been shown on the stage. The theme of it is a bet between girls of the underworld whether the hero, a sailor, could or could not "charm" a certain heroine. All the "port" talk of sailors is heard plainly and unmistakably.

I have heard that the major companies have promised to the Code Administration to clean up house within ninety days from the day the Code is signed. I don't believe they will do it. Characters cannot change in ninety days.

### THE NEED OF A REAL INDEPENDENT EXHIBITOR STATE ORGANIZATION IN OHIO!

On September twenty-nine the Cleveland Motion Picture Exhibitors' Association sent a letter to all Ohio independent theatre owners stating that they can expect no assistance from the exhibitor state organization whose business manager told the member of the Ohio State Legislature to tax all tickets down to ten cents if they should not see fit to exempt all tickets up to forty cents.

J. Real Neth, head of an independent circuit in Columbus, having taken an exception to that letter, sent to the Ohio exhibitors a letter criticizing the Cleveland Exhibitor organization for its efforts to "disrupt" the state organization, pointing out to them that the move of this body will have no other effect than to advertise to the legislators that a division among the Ohio exhibitors exists, thus destroying any hope of inducing these legislators to remove the tax from the admission tickets beginning with the forty-cent denomination.

In that criticism Mr. Neth included also HARRISON'S REPORTS because of its criticism of Pete Wood, which it printed in the September thirty issue under the heading "RULE OR RUIN." He directs the attention of the exhibitors to an article that I published in the August twenty-six issue criticizing them for their failure to give Pete Wood the proper financial as well as moral support in his efforts to defeat the tax bill, calling my attitude inconsistent because five weeks later I criticized Mr. Wood severely in the very same columns.

In the September thirty issue I plainly implied that, when I was writing that eulogy of Pete Wood and criticism of the Ohio exhibitors, I did not have before me the circular letter Wood had sent to the legislators. When a photostatic copy of it was sent to me, I proceeded to criticize Mr. Wood, for I felt that a real representative of an exhibitor organization would not and should not have written such a letter; regardless of how negligent the exhibitors proved to be, and despite the harmful steps that might have been taken by some of them, he would have tried to get the greatest concession he could for them, and when his efforts were defeated he could lay the facts before all exhibitors and let them decide who is to blame.

The fact that in one issue I praised Mr. Wood and in another I criticized him should have been ample proof for Mr. Neth that there was nothing personal in my criticism, and that I criticized Mr. Wood on issues. But Mr. Neth does not seem capable enough of distinguishing such things.

But why should Mr. Neth have taken an exception to my criticism of Pete Wood on that score when a Federal judge makes the same criticism of an exhibitor whose salary is made up chiefly of

money received from affiliated theatres? I am referring to Judge T. C. Munger, part of whose decision in the Youngclaus suit reads as follows:

"11. That the defendants, Motion Picture Theatre Owners Association and C. E. Williams, are and were subsidiaries and subsidized by the defendants and Paramount-Publix Corporation and the defendant Motion Picture Producers and Distributors of America, Inc., and entered into said contract, combination and conspiracy for the benefit of such corporation." During the trial it came to light that four thousand out of six thousand dollars C. E. Williams, president of M.P.T.O. of Nebraska, received as a salary came from the affiliated theatres that were members of his organization.

The assertion of the Cleveland exhibitors that the independent exhibitors of Ohio can expect no help from the Ohio state organization as long as its officers commit such acts as that which has been committed by Pete Wood is logical and proper. No one can serve two masters. And Pete Wood is no exception to the rule. As long as the organization he works for receives its biggest financial support from the affiliated theatres, it is natural that he should try to serve the interests of these theatres first.

HARRISON'S REPORTS is in sympathy with the Cleveland exhibitors and expresses the hope that the Ohio exhibitors will found an exhibitor organization that will not be influenced by the affiliated theatres in its policy. It is only by such an organization that the interests of the independent theatre owners of any zone can be served. I watched the code conferences, here and in Washington, closely enough to know that this is only too true: every time an important exhibitor problem came up, one knew where to find the representatives of the M.P.T.O.A.—with the other side.

Incidentally, I want to mention the fact that, according to a letter that I have received from Pete Wood last week, M.P.T.O. of Ohio is not a member of Motion Picture Theatre Owners of America.

#### STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF MARCH 3, 1933, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for Oct. 1, 1933.

County of New York.  
State of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:

Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.

Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.

Managing Editor, None.

Business Manager, None.

2. That the owner is: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the name of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has no reason to believe that any other person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,  
(Owner).

Sworn to and subscribed before me this 29th day of September, 1933.

LILLIAN SILVER,  
(My commission expires March 30, 1934.)



# HARRISON'S REPORTS

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No. 42

### PETE WOOD'S ATTITUDE TOWARDS CLEVELAND EXHIBITORS IS ALL "WET"

Pete Wood, business manager of M.P.T.O. of Ohio, sent me a telegram last week condemning the efforts of the Cleveland exhibitors who set out to cause one hundred thousand telegrams to be sent to the President of the United States urging modification of the Code so that the interests of the independent exhibitors may be protected against the monopolistic practices of the major companies. "This is an insult to the President of the United States," says Pete, "and no intelligent exhibitor subscribes to it." He suggested in his telegram that I use my influence to have the Cleveland exhibitors "retract."

Pete is wrong again: in a democratic country such as ours the right of petition to the President for relief by the citizens, either singly or as groups, is fundamental, and the Cleveland exhibitors, in having exercised such a right, have not violated any laws, and have not insulted the President of the United States; they have not committed even an act of impropriety thereby.

Pete's reasoning is as unsound as that of Fred Meyer, of Milwaukee, who thought it was untactful on the part of Mr. Jacob Schechter, counsel for the Federation of the Motion Picture Industry, to mention his name when Mr. Schechter tried to disprove his (Meyer's) statement to the Deputy Administrator during the first Code hearings in Washington to the effect that Pathe and Educational went out of business. Mr. Schechter stated that these two companies were merged with others. Fred told me that the mention of his name was "very untactful." To this day I have been trying to figure out by what process of reasoning Fred had arrived to such a conclusion but I must confess that I have not been successful in my efforts. Fred made a statement publicly and publicly his statement was disproved. Mr. Schechter would have committed an injustice to Mr. Meyer only if he had not stated the facts correctly. But such was not the case.

### THE ANALYTICAL BRIEF OF THE INDEPENDENT GROUPS ON THE CODE ALREADY SUBMITTED

The brief the submission of which was requested by the independent groups—producers, distributors and exhibitors—has already been submitted to the Deputy Administrator. A copy was sent to the President of the United States, and as I have been informed every Senator and every member of the House of Representatives will receive one.

The analysis is deep, thoughtful, thorough and convincing. It proves the shortcomings of the Code

that has been submitted by the Code Administration, and points out the Code's failure to mention the most important industry practices which have ruined the motion picture industry, and the correction of which alone will put it back on its feet.

In the Foreword, the position of the independents is clearly defined. A complaint is made therein that the Code, as framed, is contrary to whatever was submitted and discussed during the Code deliberations in Washington as well as in New York.

The compositions of the Code Authority, of the Clearance and Zoning Boards, and of the Grievance Boards are attacked vehemently on the ground that they are designed to give preponderance of representation to the major companies, giving to the independent groups hardly any representation.

Fault is found with the provisions on substitutions, tying up of shorts with features, allocation of film rentals, designation of play-dates, dating restrictions, special productions, description of pictures, overbuying, conflicting advertising, elimination of pictures, arbitration and other problems.

Block-booking receives considerable attention; and so do blind-buying, forcing of foreign films, score charges, and secret rebates.

A bitter complaint is made because of the omission of the right of an exhibitor to buy pictures in free and open competition and of the double feature question.

The Code is still being revised and the pressure the independent groups have brought on the President and the Code Administration may have some effect. It is expected that the final draft will be handed to the motion picture industry next week. In the meantime, if you have not made your wishes known to the Code Administrator, you had better make them known now. His address is 4217 Commerce Bldg., Washington, D. C.

Allied States has called a meeting of all independent exhibitors at the Congress Hotel, in Chicago, on Tuesday morning, October 24. Those who can attend should do so by all means.

### THE FUTURE OF THE MUSICAL COMEDIES

Under the heading, "Lack of Imagination May Ruin Musical Films," Mr. William Boehnel, staff writer of the New York *World-Telegram*, wrote an article in the October 12 issue of that paper, expressing fears that repetition of ideas in musical comedies as a result of lack of imagination may ruin the musical films. "It's the same old stuff," says Mr. Boehnel: "a story of backstage life, chorus girls and spectacular dance numbers. Now, these items, either separately or collectively, should in no way be detrimental to a film if properly handled."

(Continued on last page)



**"I'm No Angel" with Mae West***(Paramount, Oct. 6; running time, 87 min.)*

The Mae West fans will find "I'm No Angel" entertaining. But again, as in her first picture, it is not for squeamish audiences. It is chuck full of vulgar situations and dialogue, which may seem inoffensive to most spectators because of the unusual Mae West personality, and the humorous manner in which she brings about such situations. As in "She Done Him Wrong," most of the picture is taken up with her ability to fascinate men, and the story is incidental; however, the background here is a little coarser, and even more suggestive. Several of the situations are very funny, the best one being the court-room scene where Mae undertakes to cross-examine witnesses in her breach-of-promise action; she is so clever at it that she wins over the judge and the jury. An exceedingly suggestive situation is the one in which she makes love to a certain man, her motive being to extract from him as much money as she can.

In the development of the plot, Mae, in order to get some money to pay a lawyer to keep her out of trouble, consents to go through an act in which she puts her head in a trained lion's mouth. This act brings her fame and fortune and soon she tours the large cities with the biggest circus. She receives gifts and attentions from many wealthy men, particularly from Kent Taylor. His partner, Cary Grant, calls to see her to ask her to give up Kent, because he was engaged to a society girl. She and Cary fall in love with each other and she gladly throws over Kent and accepts Cary's marriage proposal. The circus owner, not wanting to lose such a drawing card as Mae, frames her by bringing Cary up to the apartment when another man is there in pyjamas. Cary breaks the engagement and Mae, not understanding or knowing why he did so, sues him for breach of promise. The trial is sensational—her past is exposed but she gets around it all by vamping everybody, and forcing statements from the witnesses. Cary stops the trial, pays her the full amount she sued for and then leaves. He later finds out that Mae had been framed, begs for her forgiveness and she gladly agrees to forget all; she tears up the check for the judgment.

The plot was adapted from a story by Mae West. It was directed by Wesley Ruggles. In the cast are Edward Arnold, Rafé Harolde, Russell Hopton, Gertrude Michael, Dorothy Peterson, Gregory Ratoff, Gertrude Howard, and others.

Not for children, adolescents, or for Sundays.

**"Before Dawn" with Stuart Erwin, Dorothy Wilson and Warner Oland***(RKO, Aug. 4; running time, 60 min.)*

Just a fair mystery-melodrama. It is so far-fetched that it will not be taken seriously. For instance, Dorothy Wilson, the heroine, by going into a trance, is able to solve baffling cases and to know what is going to happen in the future; the ordinary picture-goer will most likely laugh at such spiritualistic capabilities. Suspense is well sustained during the second half when the money which is hidden is being sought by different people in the supposedly haunted house. The interest is held even though one knows that the villain is Warner Oland who was frightening the other occupants in the house:—

Warner Oland, a doctor in a hospital in Europe, hears the confession of a dying man about stolen money he had hidden in a certain house in America. When the man dies Oland goes to America, and hides in the house. With the aid of a death mask he so frightens the dead man's wife that she falls to her death. The police are puzzled but have no clues. Dorothy Wilson is arrested by Stuart Erwin as a fake spiritualist but Dudley Digges, her father, convinces the inspector that she has uncanny powers. She is given certain cases as a test and by going into a trance she tells them what had happened. Stuart Erwin, who had by this time become interested in her, asks the inspector to allow her to work with him on the case of the haunted house. There they make the acquaintance of Oland, who came as a stranger, pretending that it was his first appearance at the house. Dorothy does not like him. Oland tries to make the sister of the dead woman tell him where the fortune is but

she refuses. When Dudley Digges discovers Oland's hiding place and the mask he used, Oland kills him. Dorothy, again in a trance, finds her father's body and is almost killed by Oland. But she is saved in time by Stuart Erwin and the money is found by them. Dorothy and Stuart are united.

The plot was adapted from a story by Edgar Wallace. It was directed by Irving Pichel. In the cast are Oscar Apfel, Gertrude Hoffman, and others.

Children will be frightened; otherwise suitable for adolescents and for Sundays.

**"Saturday's Millions" with Robert Young and Leila Hyams***(Universal, Oct. 9; running time, 76 min.)*

A fairly good football drama, with some fine comedy situations. It differs a bit from the routine story because in this instance, the hero loses the game for his college, but by doing this learns the value of friendship. At first he is not a particularly sympathetic character; he is callous and bitter, thinking only of the monetary value of his popularity and taking no interest in the spirit in back of the game. His actions in the closing scenes, where he enters the game with an injured hand and tries to win, however, will gain back the audience's sympathy. Human interest is aroused by the unhappiness of the hero's father, a man of ideals. The comedy situations are brought about by Andy Devine's frantic efforts to meet his girl friend, each time being delayed by the hero:—

The hero, star of his college football team, feels that that is the only reason why he has so many friends, and so he makes the most of his popularity by working concessions in the college. The day before the big game he tells the heroine he loves her, but he feels that since she is the daughter of a railroad president she will forget him as soon as he leaves college. That night, according to training rules, he is not supposed to leave his room, but when he receives a telephone call from a woman with whom he had been having an affair he rushes to her. Once there he realizes that he had been framed—she was a married woman, and her husband demanded that the hero quit the game because he had bet heavily against his team; otherwise, he would make a scandal. The hero punches him and injures his hand. He begs the college doctor not to give him away but to tape his hand and let him play in the game. He goes through physical torture and pain, but remains in the game. He fumbles a pass and loses the game. But his team and the coach rally around him, telling him how fine he was. For the first time he realizes that people liked him for himself and not because he was a football hero. The heroine forgives him, too, and they are united.

The plot was adapted from a story by Lucian Cary. It was directed by Edward Sedgwick. In the cast are Mary Carlisle, Grant Mitchell, Johnny Mack Brown, Mary Doran, Paul Porcasi, Richard Tucker, and others.

Children will not understand the affair between the hero and the married woman; adolescents, no; Sundays, no.

**"The Good Companions"***(Fox-Gaumont, Sept. 8; running time, 87 min.)*

This is an English production, with an all English cast that is not well known in the United States. It is too slow for the masses, but it will entertain high class audiences. There is a certain charm about the picture, in the English countryside, and in the comradeship of the troupe who work together without any selfish thoughts. The musical numbers are cleverly worked into the story and are ably sung by Jessie Matthews, an attractive and charming girl. One stirring scene is where the heroine, singing at her own benefit night, is booed off the stage by a gang of hoodlums who had been placed there by a jealous theatrical manager. "Good Companions" though is distinctly British, both in atmosphere and accent.

In the development of the plot several people meet on the road: one is a man who had left his home and nagging wife; another is a young man with musical aspirations who had thrown over his job as school instructor, and the third is a young woman who had lived a secluded life and had just come into some money; her desire was to tour England.



These three people meet a troupe that was stranded. They join with the troupe and the young woman decides to manage and finance them. Things look very dismal, the weather is against them, and at the end of ten weeks they are broke. Instead of breaking up they pool whatever money they have to give another performance and luck is with them. The heat wave is broken, and the rain brings the customers. The attractiveness of the heroine and her charming voice brings success to the troupe and they travel from town to town. The young musician is in love with the heroine, but she refuses him because he is lazy. He finally gets up courage to go to a music publishing house where he makes a bargain to sell them his songs on condition that they engage the heroine for their next musical show. The manager, after seeing her at one of her performances, consents and she is a great success. She marries the musician.

The plot was adapted from the novel by J. B. Priestley. It was directed by Victor Saville. In the cast are Edmund Gwenn, John Gielgud, Mary Glynne, Percy Parsons, and others.

Suitable for children, adolescents and for Sundays.

### **"Big Executive" with Ricardo Cortez and Richard Bennett**

(Paramount, Aug. 18; running time, 67 min.)

Mediocre. There is so little to the story that it barely holds the interest. The characters do nothing to win the sympathy, and about the only thing to recommend it is the excellent performance by Richard Bennett. But even he is an unsympathetic character, opposing Cortez to the point of ruining him, even though he knew that his granddaughter, Elizabeth Young, loved Cortez. Miss Young wins some sympathy in the closing scenes when she chooses to remain with Cortez, although he is broke, rather than live with Bennett who could supply her with luxuries.

Cortez, a stock-broker, purposely crashes his speed boat into Bennett's yacht so as to get aboard and speak to Bennett. He puts through a large financial deal with him and Elizabeth Young, who is fascinated by Cortez, attempts to persuade him to stay on the yacht, but he refuses; instead, he accepts an invitation for dinner at her home. After the dinner Elizabeth drives part of the way home with Cortez and for the first time learns that he is married. Cortez goes up to his hunting lodge in the Adirondacks where his wife was waiting for him. She is a nagging, insanely jealous woman, and refuses to give Cortez his freedom. His guide calls for him and Cortez leaves for a hunting trip. The wife follows, hiding in the bushes, and when Cortez sees the bush stir he thinks it is a moose and shoots. The bullet strikes his wife and she dies. The inquiry proves that he is guiltless but he returns to New York despondent. Elizabeth insists that he become engaged to her, but her grandfather feels Cortez is not the man for her. Cortez' secretary goes up to the lodge to close up the place and there finds a letter that the wife had written in which she accused Elizabeth of stealing her husband's love, and further saying that he would have to kill her if he wanted his freedom. With this letter she attempts to force Cortez to marry her but he shows the letter to Bennett who tears it up. The stock market crash brings about Cortez' financial ruin. But Elizabeth sticks by him and pawns her engagement ring to give him enough money to make a fresh start in life.

The plot was adapted from a story by Alice Duer Miller. It was directed by Erle Kenton. In the cast are Sharon Lynne, Dorothy Peterson, Barton MacLane, Charles Middleton, and others.

Suitable for children, adolescents and for Sundays.

### **"Ever in My Heart" with Barbara Stanwyck, Otto Kruger and Ralph Bellamy**

(Warner Bros., Oct. 28; running time, 68 min.)

This is a picture for high-class audiences, because of the tender and romantic presentation of the love affair between the hero and the heroine. Although there is great human interest in the story, it has several drawbacks as far as the masses are concerned. For one thing, it is slow-moving; another reason is that stories with the world war as a background are passe; in addition, it is exceedingly tragic and

depressing, both the hero and the heroine dying in the end. Several of the situations are heart-rending, particularly the one in which their child dies. Another touching situation is where some boys stone the dog that had belonged to the child, so as to show their dislike for anything German. But the most dramatic of all are the closing scenes in which the heroine poisons her husband and herself, so as to keep faith with her country and with him:—

The heroine's family had taken it for granted that she would marry her cousin on his return from Germany. He arrives with a German friend (hero) who was to teach in a university in the United States. The hero and the heroine fall in love at first sight, and soon marry. They are exceedingly happy, especially when he becomes an American citizen and all their American friends proclaim him as one of them. But things change when war is declared against Germany. He is dismissed from the school, shunned by all their former friends, and grief-stricken when his child dies. He induces the heroine to live with her grandmother and tells her that he will follow in a week, when he has closed the house. Instead he sends her a letter telling her that he had gone back to Germany to fight with his own people. The heroine goes to France as a canteen worker. She hears that there is a spy in their quarters and is horrified when she sees the hero. He hides in her room and she cannot give him up for they still love each other dearly. He spends the night with her, and the next morning she induces him to drink with her. She puts poison in both wine cups and they die.

The plot was adapted from a story by Beulah Dix and Bertram Milhauser. It was directed by Archie Mayo. In the cast are Ruth Donnelly, Laura Hope Crews, Frank Albertson, Ronnie Crosby, and Clara Blandick.

Suitable for children, adolescents, and for Sundays.

### **"My Woman" with Helen Twelvetrees, Wallace Ford and Victor Jory**

(Columbia, Oct. 5; running time, 73 min.)

Just fair entertainment. The plot is the worn-out theme of a man who lets success go to his head, forgetting those who had helped him climb to the top. The most entertaining part of the picture are the scenes in the broadcasting station, particularly during one situation where several nervous aspirants for radio jobs are tested; these tests should bring hearty laughter from an audience. The heroine is an extremely sympathetic character throughout, helping the hero make a success of himself, and neglecting her own talents. He is a weak and egotistical character and wins little sympathy, and one feels that his eventual failure is what he deserved:—

The heroine's father runs a cafe in Panama where she and the hero (her husband) are entertainers. She is introduced to a wealthy patron who is head of the largest radio chain stationed in New York, and he invites her to call to see him when she comes to New York. Feeling that the hero had talent, she induces him to leave Panama with her and they go to New York. She attempts to see the manager but his various secretaries keep her away until one day she accidentally meets him and induces him to give the hero a chance. The hero's test is not very good and he is given an announcer's job. The heroine hits upon a plan of presenting the hero in vaudeville sketches which she writes, and she induces the manager to test the hero again. He is a great success and soon is famous. Money goes to his head, he drinks too much, and attaches himself to a society girl, who keeps him drunk most of the time, and away from his work. The heroine, disgusted, tells him she is through with him. That night he goes to the station drunk and starts his broadcast by telling everybody that his wife had been unfaithful to him, and had carried on an affair with the manager. This shocks the manager who really loved the heroine but had never told her so. The hero is stopped from further broadcasting and is thrown out. The heroine goes back to Panama. The hero, no longer a favorite, comes back to her begging for forgiveness. They are reconciled.

The plot was adapted from a story by Brian Marlow. It was directed by Victor Schertzinger. In the cast are Claire Dodd, Hobart Cavanaugh, Harry Holman, and others.

Unsuitable for children, adolescents, or for Sundays.



But the music, to be successful in pictures, should enhance the value of the story the picture is trying to tell. It should advance the narrative, not stop it, as it has in most of these films. . . ."

Mr. Boehnel is right. In most musical films the producer depends too much on beautiful settings, clever grouping of players, gorgeous dresses, and bare legs to put the picture over; the plot is as a rule negligible. Only in "Forty-Second Street" was there a plot worth mentioning.

Even if the plot in each musical comedy were to be substantial, still there is danger in this type of entertainment, because of overdoing: just because Warner Bros. made a few successful pictures of this type, every producer is going in for this type of entertainment.

If the producers are not careful with musical comedies, we shall see history repeat itself: three years ago there were so many musical films produced that no exhibitor could draw patrons into his theatre even if he offered gold pieces with each ticket.

### **PARAMOUNT NOT THE ONLY FILM CONCERN GONE "DIRTY"**

We must be just in accusing producers of having descended to the gutter: in exposing one, we must not overlook the others.

Paramount is not the only film concern that has adopted gutter tactics in its effort to make its theatres yield a profit: Warner Bros. has been the past-master in this. Recently it showed "What Price Innocence" at its Stanton, in Philadelphia, and the reading matter in the advertisement read as follows:

"Does Your Daughter Know the Truth About Her Desires?"

The Hays organization put out an Advertising Code about three years ago, at the time it put out its famous Morality Code. All the major companies subscribed to it, but practically none of them is observing it.

### **PROOF THAT A CODE PROVISION CURBING DIRTY MATERIAL IS NEEDED**

If the Deputy Administrator needed a proof to convince him that some sort of a provision to stop the production of demoralizing pictures should be put into the Code, it has been furnished by the purchase of "Sailor Beware." As said in last week's issue, this is the dirtiest play that has been produced on Broadway for a long time.

The plot lacks originality; in fact, any fifty-dollar-a-week scribe of those employed in Hollywood could have written a better one, for it has been done on the screen many times. What Paramount bought with the (as reported) fifty thousand dollars it has paid for this play is the notoriety the play has gained in the few weeks that it has been playing on Broadway.

Paramount will not have a better luck with this material than it has had with that of "Temple Drake" ("Sanctuary"). I don't know how much money Paramount has lost with "Temple Drake"; but it must have been a considerable amount in film rentals. And the exhibitors who have been compelled to play it have lost another such amount.

Pictures based on material of this kind are doing irreparable harm to the industry; and unless the producers change their tactics we are going to have Federal censorship of the most stringent kind.

### **JACK COHN'S CAMPAIGN FOR SUNDAY OPENING**

Jack Cohn, of Columbia, has started a campaign to convince the Deputy Administrator that, if the picture theatres in all states were permitted to operate on Sundays, more men will be put to work.

Before Mr. Cohn can be successful in this matter, it will be necessary for the producers to put an end to the dirty pictures they are producing, and those amongst them who own theatres to abandon the salacious type of advertising they frequently resort to. Unless this is done, the opposition he will encounter will be unsurmountable.

### **WARNER BROS. WORST OFFENDERS IN DOUBLE BILLS**

The major companies have been battling to have double features eliminated.

That this battle is fought from insincere motives may be evidenced by the fact that some of them are great offenders when it comes to showing two features on the same bill. And amongst them Warner Bros. is the worst offender. Independent exhibitors keep on sending me advertisements appearing in the newspapers showing that this company shows two features on the same bill. For instance, at Warren, Pennsylvania, at the Library Theatre, the management showed recently "Shanghai Madness" and "Goodbye Again." on the same bill. And the prices it charged were 25c up to six o'clock, and 40c thereafter.

At the Warner's Smooth Theatre, at Parkesburg, West Virginia, there were shown on September 24 two features: "It's Great to Be Alive," and "Headline Shooter"; and the admission price up to 1:30 was fifteen cents.

### **TOO MANY "ROTHSCHILDS"**

United Artists is going to produce "The Great Rothschild," with George Arliss; Warner Bros. is going to produce "The Life of Rothschild."

Warner Bros. and United Artists have started a feud but the damage that will be done as a result of it will not be confined in the two companies; the exhibitors, too, will suffer thereby, for those who will buy the Rothschild picture from the one company will see their box office receipts diminished when a competitive theatre should show the Rothschild picture of the other company. The two pictures will, no doubt, be released at about the same time, for the one producing concern would not want the other concern to steal a march on it. No doubt they are spying on each other to find out when the production plans of the rival concern will be finished and the production of the picture started so that it may not be caught napping.

Is the picture industry so short of men with reasoning power and influence to put an end to this sort of war? It does harm to everybody!

### **CORRECTIONS**

In the review of "Moonlight and Pretzles," printed in the August 26 issue, Monte Brice was given as the director. Karl Freund directed the picture.

In the September 23 issue, it was stated in the review that "F. P. 1" is a British production. Dr. Hans L. Boehn writes from Vienna that this picture was produced at the Ufa studios in Germany. This statement is correct, only that the picture, though produced in Germany, was supervised by a British technical staff, and the stars were English.



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SATURDAY, OCTOBER 28, 1933

No. 43

## THE THIRD REVISION OF THE CODE

The third revision of the Code was given out by Deputy Administrator Rosenblatt last week.

From the time the Code deliberations were moved to Washington and the independent groups expressed dissatisfaction with the way the Deputy Administrator treated the independents, there have been statements and counter-statements in the trade press as to what would or would not be done under given circumstances. For instance, in one of the trade paper statements Deputy Administrator Rosenblatt was quoted as having said that if the independent groups would carry on their decision of informing the public by displaying trailers on the screens of their theatres he would recommend to Administrator Johnson that such exhibitors be barred from obtaining any film whatever. This is a curious statement if it has been made, for the independent theatre owners, by displaying trailers on the screen with the purpose of informing the public of their problems and urging support of their demands for better Code provisions, would commit no breach of the law and would do nothing except what is permissible and proper in countries that are governed by a democratic form of government.

In some of the statements the Deputy Administrator was quoted as having become irked by the insistence of the independent groups for better Code provisions, the implication being conveyed that he will not pay any attention to their demands, and that the Code would be presented to Administrator Johnson substantially as he originally framed it.

Comparing the third revision of the Code with the first and second revisions and with the Analysis and suggestions submitted by the independents on October 10, one is struck with the fact that the Deputy Administrator, not only has not ignored the recommendations of these groups, but has adopted many of them. He could not very well have done otherwise, for these recommendations have the power behind them of being just and fair. Even though it was made to appear in the trade papers that the changes in the later Code revisions would be insignificant they are substantial just the same. This proves conclusively that the independent groups, in urging the American public to voice their sentiments to the President of the United States as well as to the Administrator, an act which was unjustly condemned in some quarters, was effective, and should under no circumstances be discontinued until the fair and reasonable recommendations of these groups are fully recognized.

Though many of the recommendations in the Analysis of the independents had been adopted, these are of minor importance. In the main, the suggestions contained in it have either been ignored or inadequately dealt with. For instance, no mention is made of the right to buy, of block-booking, blind-selling, score charges, double features, foreign features, and of other such problems, every one of which is of vital importance to the independent groups. This makes the continuance of the informative campaign for the adoption of provisions settling these problems a necessity; and if it should be necessary to show trailers on the screens of the independent theatres with a view to informing the American public, it should be done. The failure of the Deputy Administrator to adopt a provision making the production of salacious pictures impossible should make your appeal to the American people very effective. The half-hearted provision inserted in the Code means nothing. The provision that compelled the producers to submit to the exhibitors a synopsis of the picture at the time of sale, contained in the early revision, has been removed from the third revision; this, no doubt, at the insistence of the major producers. And the public should be

informed that the furnishing of a description of the pictures before the sale would have helped greatly toward driving filthy pictures off the screen.

If you should happen to read the third revision, you will find that in minor matters the independent exhibitors appear to be favored. But remember that, with the set up of the Code Authority, the Zoning and Clearance Boards, and of the Grievance Boards, as it is—in the hands of the major companies—even these advantages may be taken away from you. "Under the proposed set-up," the Analysis of the independent groups states, "the independent coming into these boards as a plaintiff would find the defendant sitting on the bench."

The complaint of the independents is fully justified when you know the set-up of these boards. Let us see:

**Code Authority:** The membership of this Board has not yet been given out officially but the names have been printed in the trade papers and since no denial has been made it is assumed that the list is correct: Sidney Kent, president of Fox; Nicholas M. Schneek, president of MGM; Harry M. Warner, president of Warner Bros.; R. H. Cochrane, vice-president of Universal; George Shaefer, general manager of Paramount; Al Lichtman, vice-president of United Artists; W. Ray Johnston, president of Monogram; M. E. Comerford, president of Comerford Circuit; Ed. Kuykendall, president of MPTOA; Charles L. O'Reilly, president of Theatre Owners Chamber of Commerce, and two others not named.

The composition of the Code Authority will be such, if these names are correct, that the majority will be decidedly and definitely in favor of the major companies. Of the few independents named, we know in advance how Kuykendall will vote; we know how he voted during the Code deliberations in New York, and what his attitude was during the hearings in Washington.

**Zoning and Clearance Boards:** Constituted as follows:

- One national distributor with theatre affiliations.
- One distributor without circuit theatre affiliations.
- One first-run affiliated exhibitor (if there be one).
- One first-run unaffiliated exhibitor.

Two subsequent-run unaffiliated exhibitors.

One member appointed by the Administrator to vote in case of a dead-lock.

In view of the fact that there are few zones where exist independent first-run exhibitors, the appointment of "One first-run unaffiliated exhibitor" would naturally have to be made from the ranks of the affiliated exhibitors. Even if there were unaffiliated exhibitors in every zone, the fact that first-run film is so scarce for independents would make it necessary for such exhibitors to favor those who would supply them with the commodity that will keep their theatres open. In this manner, the majority would favor the major producer-distributors.

But even if the Board were evenly divided and the representative of the Administrator voted in favor of the independents in case of a tie vote, an appeal would no doubt be taken by the complaining representative of the major company to the Code Authority, the membership of which is preponderantly "major," and the findings of the Zoning and Clearance Board "will be," as the Analysis of the independent groups states, "subject to reversal by the Code Authority." Remember that the functions of the Zoning and Clearance Boards will be to determine zoning and clearance problems. These are of vital importance to the independent exhibitor's business. This is one of the reasons that prompts the independents to fight so hard for the balancing of power in these Boards. It is only by such

(Continued on last page)



**"Aggie Appleby, Maker of Men" with Wynne Gibson, Charles Farrell and William Gargan**

(RKO, Nov. 3; running time, 72 min.)

A fair comedy for the masses. Some of the dialogue and situations are rather vulgar, but since they are treated mostly in a comedy vein they are not so offensive. The plot is far-fetched but it holds the interest fairly well because of the comedy situations and of the good performances. Most spectators will be disappointed in the breaking up of the love affair between Wynne Gibson and Charles Farrell, even though it is the logical outcome. The comedy is brought about by the efforts of Wynne to make over the characters of two men—Charles Farrell, from a gentlemanly and timid person, to a he-man; and William Gargan, from a red-blooded he-man, to a calm and subdued working man:—

Wynne Gibson and William Gargan are lovers, living together although unmarried. Gargan's weakness is to pick fights with policemen. This eventually lands him in prison. He leaves Wynne stranded, and she cannot obtain a position. Her friend, Zasu Pitts, is a chambermaid in a rooming house, and one day she allows Wynne to use Charles Farrell's apartment while he is out. He comes home earlier than they had expected and although at first he is shocked he becomes friendly with Wynne. He is a timid soul but when Wynne tells him she is without funds he tells her she may continue living in his apartment as his housekeeper. He comes from a good family and is out to make good on his own. But he cannot find a position. Wynne teaches him how to be tough and assert himself and he soon becomes boss of a construction gang. They become lovers and he wants to marry her. Gargan is released from prison and sets out to find Wynne. Farrell receives a visit from his aunt and former fiancée but tells them he is going to marry Wynne. Wynne realizes she would be in his way and tells him a lie—that she is married to Gargan. This cures Farrell. Gargan and Wynne remain together but this time she insists that he marry her, change his disposition and take a position as a floorwalker to all of which he agrees.

The plot was adapted from a story by Joseph O. Kesselring. It was directed by Mark Sandrich. In the cast are Betty Furness and Blanche Friderici.

Not for children, adolescents, or Sundays.

**"Walls of Gold" with Sally Eilers, Norman Foster and Ralph Morgan**

(Fox, Oct. 13; running time, 73 min.)

"Walls of Gold" will probably entertain fairly well women audiences because of the sympathy they will feel for Sally Eilers who is unhappy in her marriage and thwarted in her desire to have a child; also because of the lavish clothes worn. But it is not pleasant entertainment since the characters in the story are unsympathetic and worthless. Ralph Morgan, Sally's husband, is cruel in his treatment to her, and heartless in his relationships with other women. Norman Foster is spineless; without waiting for explanations he runs off and marries another woman when he thinks Sally had been unfaithful. Sally Eilers is the only one who wins some sympathy, even though at first one feels resentment towards her for having married an elderly man, for his money. The brightest spot in the picture is during one situation when Rosita Morena dances; this is excellent.

Sally Eilers is a successful woman. She meets Norman Foster who works in the office of Ralph Morgan, his uncle, a wealthy philanderer. Sally and Norman fall in love and hope to marry. But Morgan is infatuated with Sally and sets out to prove to Norman that she is no better than the rest. Morgan insists that Sally accept an expensive fur coat from him as a gesture of friendship. This embitters Norman, who gets drunk and then goes to Sally's mother's home in the country. Her younger sister comforts him and he induces her to elope with him. Sally is heartbroken and eventually marries Morgan, who tells her she was made for luxury. But her marriage is an unhappy one; Morgan continues his affairs with other women and forbids Sally to have a child. Sally's sister dies giving birth to her baby and Sally takes the child into her home to rear him during Foster's absence—Foster had been sent to South America on a construction job. When he returns they realize they still love each other but Morgan refuses to give Sally a divorce. Morgan is killed in a quarrel with one of his women. Sally and Norman later marry.

The plot was adapted from a story by Kathleen Norris. It was directed by Kenneth MacKenna. In the cast are Rochelle Hudson, Marjorie Gateson, Mary Mason, and others.

Not suitable for children, adolescents, or Sundays.

**"Police Car 17" with Tim McCoy and Evalyn Knapp**

(Columbia, Sept. 30; running time, 58 min.)

Columbia gets away from the routine western in this story, and instead presents Tim McCoy as a policeman in an action melodrama that is a fairly thrilling entertainment. It holds one in suspense, and the closing scenes in which the heroine and her father are in danger of being killed by the villain are exciting. The spectator is shown how radio police work is done, and excitement is kept at pitch during some of the situations in which the police race to overtake criminals. There is human interest in the heroine's devotion to her father, and the romance between the hero and the heroine is pleasant:—

The hero, a radio policeman, meets the heroine, whose father was a former police Lieutenant. He had been crippled by a bullet from the villain's gun in capturing the villain. The hero proposes to the heroine but she refuses him because of her father to whom she devoted all her spare time. The villain escapes from prison and comes back to town to take charge of his gang, and to kill the heroine's father which he had sworn to do. He learns from a friend of the heroine, member of his gang, that her father was to be taken to the hospital for an operation. He sends his own ambulance around and not knowing of the trick the heroine goes with her father and is taken to the villain's home. The hero sets out to rescue them when the kidnaping is discovered. He beats the gangster friend into telling him the whereabouts of the heroine and her father. He arrives there just as the villain was making ready to shoot both of them. The villain is captured. The father eventually recovers from an operation and is able to walk again. Hero and heroine marry.

The story and direction are by Lambert Hillyer. In the cast are Wallis Clark, Ward Bond, Harold Huber, Edwin Maxwell, and others.

Suitable for children, adolescents, and Sundays.

**"Bombshell" with Jean Harlow and Lee Tracy**

(MGM, Oct. 13; running time, 95 min.)

Great entertainment for the masses. Fast-moving, filled with laughs and nonsensical situations, it holds the interest and never lags, in spite of the fact that it hasn't much of a story to tell. It is made up of incidents in the life of a famous moving picture actress, and the hectic situations Lee Tracy, her publicity-mad manager, gets her into. The whole thing doesn't make much sense, but the spectator will not worry about this for the laughs come frequently, continuing to the end. One comical situation is where Jean Harlow tries to impress two women inspectors from an orphanage with the peace and charm of her life; all her hopes are smashed when Tracy, who does not want her to adopt a baby, stages a wild fight in her home between two of her lovers, and brings in her drunken father and numbskull brother. But the most comical situation comes towards the end where the heroine sees possibilities in marrying Franchot Tone, who supposedly comes from a fine Boston family. She does not know that Tracy had arranged the whole affair so that these people might humiliate her and send her back to the studio to finish her picture.

The story revolves around Jean Harlow, a famous moving picture star. She leads a hectic life from morning until night, pestered by her drunken father, supplying her gambling brother with money, acting, and trying to rid herself of Lee Tracy, her publicity manager. Tracy loves her, but she is so fed up on his stunts and endeavors to paint her as a scarlet woman that she will not listen to his pleas of love. She suddenly feels the urge for a child and decides to adopt one. But Tracy sees to it that she is stopped from doing this by disgracing her before the investigating committee. She is so angry that she leaves her home, and refuses to finish the picture she was working in. Tracy follows her but she refuses to listen to him. She meets Franchot Tone who proposes to her. When she meets his family, supposedly of a fine Boston family, she tries to impress them; but when they discover she is a film star with a reputation they will not agree to their son's marrying her, and Tone agrees with his parents. This makes Jean so angry that she insults them and gladly goes back to the studio with Tracy. When she finds out that the whole thing was a trick conceived by Tracy to bring her back to the studio she is angry again. But she now realizes she loves him and forgives him.

The plot was adapted from the play by Caroline Francke and Mack Crane. It was directed by Victor Fleming. Others in the cast are Frank Morgan, Una Merkel, Ted Healy, Pat O'Brien.

Not for children, adolescents, or Sundays.



## HARRISON'S REPORTS

Vol. XV

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No. 43

*(Concluded from Section One)*

since the giving of a description of the goods at the time of the sale will tend to eliminate this sort of pictures, the Deputy Administrator should, not only restore the provision as it was contained in the second revision, but make it more specific. And he can make it more specific if he should so frame the provision as to require of the distributor to give at least a one thousand word synopsis on every picture offered for sale if such picture has not been produced or, if produced, has not been trade-shown.

**Part 8:** This deals with the readjustment of prices when the distributor fails to deliver the entire number of pictures, usually from the low bracket class. The Analysis finds this provision inequitable in that it provides that the adjustment be made in a particular group of the same distributor and not of all the groups of that distributor.

**Part 9 (a):** "No Distributor shall require any specific day or days of the week for the exhibition of specified pictures or class of pictures unless specifically provided for in the Exhibitor's contract therefore and in no event if the license fee therefore is a fixed sum only."

This provision will tend to make all pictures percentage; or else the producers will sell flat rental pictures at very low terms but turn them out like sausages, then "soak" the exhibitor on the percentage pictures.

Under (b) of this provision, if the exhibitor finds that a picture stipulated in the contract to be played on a certain day is not suitable for such a day, the distributor must substitute another picture for that day, on the same terms as the original picture removed on the terms of the picture that has been substituted for that day. In this manner, the exhibitor may be required to pay a high price for two pictures, even though his contract may specify that one of the pictures is low-priced.

There is no provision in the Code to prevent the distributor from taking pictures away from the exhibitors, in such cases as "Gold-Diggers." Thus the distributors will continue taking advantage of the exhibitors.

## EXHIBITORS

Under the section dealing with the "Exhibitors," Clause One compels the exhibitor who has a selective contract to decide within 21 days after the availability day whether he wants or does not want a given picture. Clause Two forbids overbuying. The recommendation of the Analysis *with the intent or effect* has been incorporated in the third draft.

## DISTRIBUTORS-EXHIBITORS

In the section devoted to "Distributors-Exhibitors," the following provisions are worthy of note:

**Part 1:** This provision makes the standard contract that was negotiated by the five-five-five conference, used by many distributors this season, part of the NRA Code, with the proviso that where any of its provisions conflict with the provisions of the NRA Code, the NRA Code provisions shall prevail.

In view of the fact that many exhibitors consider this contract form inequitable in that conditions are now different from those that prevailed when this contract form was approved by the producer-distributor-exhibitor committee, its inclusion in the NRA Code is not fair. The only fair thing for the Deputy Administrator to do would be to adopt it temporarily, then provide for a new exhibitor-distributor committee to go over it, agree on as many of its clauses as it can, and then submit the clauses upon which disagreement will prevail to arbitration.

## TRADE PRACTICES NOT DEALT WITH

**The Right to Buy:** This question, which means so much to the recovery of the business, is not even mentioned.

During this problem's discussion the purpose of which was to clarify what "The Right to Buy" really means, it was explained that a producer would have the right to show his own pictures in his own theatres without any competitive bid from an exhibitor, but when it came to using the product of other companies, that was a different matter: every exhibitor would have the right to bid for such other product and to contract for it if he offered as much or more money than the circuit theatre. This problem has been ignored also in the third revision.

**Block-booking:** This is not even mentioned in the third revision, the Administrator having been content to insert a

ten per cent elimination provision. To begin with, so small an elimination will not make it possible for the exhibitor to avoid playing demoralizing pictures by virtue of the fact that this type of pictures exceeds fifty per cent. But even this privilege is surrounded by onerous conditions.

But where does the public come in? If a picture is so demoralizing that its showing will impair the morals of young men and women the exhibitor must show it just the same, if he should happen to commit a technical violation of one of the terms of the contract.

In reference to Block-booking, the Analysis, which the independent groups have, as already stated, submitted to the Deputy Administrator, handles the matter most efficiently and forcefully, proving that, when Block-booking is done concertedly, it violates the Sherman and Clayton Acts. Part of the argument reads as follows:

"Provision for the right to eliminate and reject a given percentage of pictures without payment therefor, is at best an inadequate palliative.

"The particular elimination provision proposed in the second revision . . . is not even a faint approach to an amelioration of the practice.

"The enforced purchase in block imports a denial of the freedom of contract. It implies a method repugnant to the principles of fair competition which must underlie the Code, and should be handled with boldness and forthrightness.

"The National Industrial Recovery Act provides that the violation of any provision of an approved code shall be an unfair method of competition within the meaning of the Federal Trade Commission Act. This has led the producer-distributors to contend that since the Circuit Court of Appeals for the 2nd Circuit in *Federal Trade Commission v. Paramount Famous-Lasky Corporation* (decided April 4, 1932) held block-booking not to be an unfair method of competition within said Act, the Article proposed by the Independents should not be included in the Code.

"It must be remembered that this case involved block-booking only as practiced by a single distributor and did not involve the practice as followed by all major distributors closely associated through their membership in the Motion Picture Producers & Distributors of America, Inc. In fact the court expressly pointed out that under those circumstances its decision would have been otherwise. Accordingly, and on the authority of *Federal Trade Commission v. Gratz*, 253 U. S. 421, the Court held that:

"All question of monopoly or combination being out of the way, a private merchant acting with entire good faith may properly do business as he, with the exercise of reasonable discretion, deems to be for his best interest. At page 158 the Court continued:

"Exhibitors need pictures, to be sure, but not necessarily respondent's. \* \* \* and any exhibitor is free to lease a copy-righted picture or refuse to do so.

"The respondent has lawfully exercised its right to sell its product to the best advantage and in such quantities and to such person as it chooses. *It neither has a monopoly and apparently not the ability to acquire one.* \* \* \* The method of negotiation which has been condemned by the Commission *does not disclose a dangerous tendency unlawfully to hinder competition, nor does it create a monopoly.*" (N. B. The italics are of the authors of the Analysis.)

The Analysis then cites the case of *U. S. v. Ballaban & Katz Corporation, et al*, in which practically all the major companies were involved, and which was decided in the United States District Court, Northern District of Illinois, on April 6, 1932, to prove that the courts feel differently where common action of many companies is under consideration. "Consequently," the Analysis states, "the Court decreed against the use by these respondents of the block booking method of distributing films."

"The conclusion which the adjudicated cases evidence," the Analysis continues on this subject, "is unmistakable. An individual has the right to do business as he pleases and with whom he desires, and upon such terms as he may impose. . . . Where, however, a group of the major producers and distributors of films unite in a policy of block-booking, there, at once, one no longer need look for a probable tendency toward the creation of monopoly and the combination in restraint of trade is then a reality.



"In the formulation of the code of fair competition for the motion picture industry under the N. I. R. A., there appears a bold solid front of the major producers and distributors of the United States. They stand tenaciously determined that, not one of their number, but all of them, shall have the right to impose block booking as the only terms upon which motion picture exhibitors may obtain films. From their common interest and their unflinching union on this point, one needs little power of deduction to know that what they seek is a combination which can dictate that block booking be the sole method for the distribution of films. . . . To permit this united body of major producers and distributors to impose block booking upon exhibitors must of necessity result in a situation wherein, through their almost complete control of the available motion picture film, competition is not merely hindered, but completely stifled, and the monopoly in restraint of trade is a flagrant violation of the Sherman Anti-Trust Act. . . .

"The elimination of block booking will carry with it the elimination of many other ills of the Industry."

**Double Features:** No mention is, as said, made of this vexing problem in the Code. Such an omission is particularly worth noticing in view of the fact that the independent groups were made to understand that double-features not only would not be distributed but a provision would be put into the Code making the penalizing of a double-features exhibitor by a distributor an unfair method of competition.

On this subject, the Analysis of the independents states the following partly:

"No mention of double features has been made in the Code. One unacquainted with the true situation might presume therefrom that the playing of one or two features is a matter that is left to the individual discretion of the exhibitor, who, beyond question, should have the right to determine the operating policy of his house.

"The fact is, however, that the major producers-distributors where they see fit, provide in the contract of sale that the pictures released by them are not to be played on the same bill with any other feature picture.

"This policy was recently adopted by the major producers-distributors in the Chicago territory, and it is having the effect of the Independent Distributors being driven out of business in that territory, and of greatly diminishing the income of Independent Producers through the lost revenue resulting from being excluded therefrom. If a similar policy were adopted by the major producers-distributors as to the New York, or some other large territory or territories, the consequent loss of business to Independent Producers and Distributors would completely put them out of business, as they could not do business when limited only to the remaining portion of the United States.

"The insertion of such a provision in contracts is an interference by the Distributor with the business policy of the exhibitor, as it effectually tells the exhibitor how he may operate his theatre. If such policy were to prevail it is conceivable that the producer-distributor may subsequently enlarge upon such 'privileges' by telling the exhibitor that he may not exhibit short subjects, or newsreels with their features, or that he may not give any stage presentations or any vaudeville exhibitions with such features,—this notwithstanding that the producers-distributors may reserve to themselves and/or to their favored customers all such rights.

"The omission in the Code of any reference to double features is tantamount to vesting the power in the major producer-distributors of regulating the matter to suit themselves. Such an arrangement is a twofold evil. First, it places in the hands of the major producer-distributors a power that can be and is most dangerously used by enabling them to use double features in their theatres and permitting those exhibitors whom they favor to use double features, and denying the right to others. Second, it places in the hands of the major producer-distributors, the opportunity to wipe out their independent competitors by capriciously depriving them of their market,—a clear violation of Section 3 of the Clayton Act.

"In fact, in the Fox-West Coast case in which a Decree was entered on August 21, 1930, it was expressly held to be an unfair trade practice to interfere with the right of exhibitors to 'exhibit two (2) feature motion pictures on one program.' This, however, was unfortunately limited to the City of Los Angeles.

"It is no answer that the party aggrieved may pursue his remedy in the courts. The question is whether the existing practices of the major producer-distributors are to be recognized and whether these practices are wrong. If they are wrong, they should be dealt with adequately in the Code. It

is absurd to suggest that the bringing of innumerable suits throughout the country to prevent the carrying on of an illegal and unfair practice is a proper remedy, when the opportunity to deal with it under a code of fair competition is presented. . . ."

For your information, the support the independent exhibitor groups have given to the independent producers and distributors has drawn the support of these groups to the independent exhibitor cause.

**Tying shorts with features:** The provision that deals with the relation of shorts to features (Part 5, Third Revision) reads as follows:

"No Distributor shall require as a condition of entering into a contract for the licensing of the exhibition of feature motion pictures that the Exhibitor contracts also for the licensing of the exhibition of a greater number of short subjects (excepting news-reels) in proportion of the feature pictures for which a contract is negotiated bears to the total number of feature pictures required by the exhibitor."

The way most exhibitors will understand this provision is that the producer may compel you to buy as many shorts as you need to make up the full bill on the days you show that particular distributor's feature pictures, but that newsreels are not included in such "compelling"; what the provision really means is that the distributor may not compel you to buy from him more shorts than you need, as explained, but that he can compel you to buy his newsreels regardless of the fact that the bill is made-up fully. By such phrasing of this provision you will be compelled, if you should happen to deal with four newsreel releasing distributors, to book eight newsreels a week.

Personally I am inclined to believe that the phrasing of this provision in such a manner was an oversight, caused by oversight.

Aside from this error, the provision itself is unjust and unfair in that it compels the theatre owner to book shorts that are not suited for his custom at all, and prevents him from booking superior quality shorts that may be released by some other distributor. This also tends to lower the artistic standards of motion pictures.

"No moral justification can be offered," the Analysis states, for the practice of compelling an exhibitor to purchase short subjects which he does not wish, and the practice violates Section 3 of the Clayton Act (see Decree in Balaban & Katz case, U. S. Dist. Court for the Northern Dist. of Illinois entered April 6/32). Further, it is an unfair method of competition against those producers having shorts to sell, and who do not indulge in the vicious practice.

"The forcing of any sale by any mode of compulsion is an abuse that is entitled to no compromise. Recognizing it to any degree, is repugnant to any code of fair competition. Nothing short of complete extermination will be adequate. . . ."

**Score charges:** This is another subject the Code has passed by. And yet the major producer-distributors have been gouging independent exhibitors for years by charging them ten times the amount they pay to the American Society for the recording rights of copyrighted music, even if we were to overlook the fact that the score charge is just another item of production expense and should not be separated, just as in the case of the salaries of the stars, or of the directors, or of the executives, so necessary on the production of pictures, which are not unseparated.

"This 'score charge,' " the Analysis states, "is a survival of the days when sound reproduction at the theatre required the use of discs, which the distributor supplied with the film. The reason therefore has disappeared, but the exaction survives. Sound is no longer reproduced from discs and there is no justification for collecting from exhibitors an additional fee labelled 'score charge' by reason of licenses of royalty for sound recording apparatus any more than there would be for an optical recording charge for the use of patented cameras or a copyrighted charge for the use of a copyrighted story. All these factors alike are included among the things required for the production of a motion picture. . . ."

A code of fair competition is supposed to be framed with a view to putting an end to such practices as tend to stifle business, reducing employment and lowering wages. The practices the independent groups have complained of are not corrected by the third revision of the Code. It is hoped that the Deputy Administrator will show the courage he has been famed of to incorporate into the Code such provisions as will end the monopoly that has been exercised by the major companies for years, to the benefit of every one engaged in the motion picture industry.



**"Before Morning" with Leo Carrillo**  
(Arthur Greenblatt; running time, 56 min.)

Too draggy for the masses, although it may entertain high class audiences. It has been done in the manner of a stage play, with one setting, all talk and no action, and since it moves slowly the interest is held only fairly well. It is a murder mystery melodrama, and the identity of the murderer is not made known until the very end. At first Leo Carrillo is shown as being a scoundrel and naturally one feels resentment towards him; but this is cleared up when it develops that he is a police inspector who purposely took on the role of a villain so as to unravel the mystery of the murder. One feels some sympathy for the heroine, because of the unhappy situation she is placed in when her lover dies:—

The heroine is horrified when her lover dies in her apartment. He was a married man and she did not want any scandal for the sake of her child and for that of the hero who loved her and wanted to marry her. She calls in two friends who plan to take the dead man to a sanitarium and then say that he had died on the way. The heroine prepares to leave the apartment, first telling the hero all. He forgives her and still wants to marry her. Just as she is to leave she receives a caller—supposedly the doctor from the sanitarium. He proves to be a police inspector, having assumed the disguise to learn who had committed the murder. He brings out the fact that the murderer was the dead man's wife, who had poisoned some pills the doctor had prescribed for his heart.

The direction is by Arthur Hohl. In the cast are Lora Baxter, Taylor Holmes, Louise Prussing and others. Children, no! Adolescents, no! Sundays, no!

**"Sweetheart of Sigma Chi" with Mary Carlisle, Charles Starrett and Buster Crabbe**

(Monogram, Oct. 15; running time, 73 min.)

Good entertainment. It is a college story, with musical accompaniment, and differs from the usual run of such pictures in that it centers around the varsity crew instead of the football team. There is a spirit of youth about the picture that is refreshing, for young people, who look as if they belong in a college, are in the cast. The comedy is good, and human interest is injected by the spirit of sacrifice one of the characters displays when he enters the boat race as the stroke of his crew while suffering with two broken ribs. "Sweetheart of Sigma Chi" can be classed with most college pictures made by any of the major studios.

The story is simple. Mary Carlisle is the belle of the college and goes on her merry way collecting fraternity pins from many of the boys. But when she meets Buster Crabbe, a member of the varsity crew, she really falls in love and bets with her pals that she could take his fraternity pin, too. Crabbe is in love with her and is elated when she accepts his pin. He is teased by his friends, who tell him that Mary made a habit of collecting pins. This depresses him and he cannot do his crew practice properly. He is put out of the team a few days before the race. When his room-mate, the stroke of the crew, tries to reason with him, Crabbe pushes him aside shoving him against the wall; he breaks two of his ribs. No one knows about the accident, for the stroke, feeling that he was important to his team, kept quiet about it. Charles Starrett, one of the crew, meets with an accident while out driving and is incapacitated; the stroke pleads with the coach to put Crabbe back. He does this. During the race the stroke urges Crabbe on by telling him that Mary really loves him. They win, and Mary and Crabbe are united. It is not until later that the crew learns about the stroke's bravery, and compliment him for it.

The story was suggested by an old song by Stokes and Vernor. It was directed by Edwin L. Marin. Others in the cast are Florence Lake, Sally Starr, Eddie Tamblyn, Purcell Pratt and Burr McIntosh.

Good for children, adolescents, and Sundays.

**"Golden Harvest" with Richard Arlen, Chester Morris and Genevieve Tobin**  
(Paramount, Sept. 22; running time, 73 min.)

A pretty good entertainment. It is built around the farmers' condition in the west and middle-west, which compels them to sell wheat at so low a figure that they become impoverished. The U. S. Government is brought into the picture in a desire to ameliorate their condition. There is considerable human interest in the act of the young brother, who had made a success as a speculator in wheat in Chicago, and who is shown towards the latter half of the picture risking his own fortune to help the farmers, who were led

by his own brother, to obtain more money for their wheat. The brother had organized the farmers, and they had decided not to ship any wheat out of the state until a decent price for their wheat were paid, and the hero manipulated the pit with the intent of forcing the price of wheat up. The wild scenes in the pit are interesting and thrilling. The moment when the hero is suspended by the board for his inability to meet his obligations is suspenseful. The love affair between each brother and his sweetheart is charming.

The plot has been taken from an original story by Nina Wilcox Putnam. Ralph Murphy directed it. In the supporting cast are Roscoe Ates, Julie Hayden, Burton Churchill, Elizabeth Patterson, Charles Sellon, Lawrence Gray, Henry Kolker and others.

Good for children, and adolescents; suitable for Sunday showing.

**"Thrill Hunter" with Buck Jones**

(Columbia, Sept. 30; running time, 61½ min.)

A fairly good action melodrama that does not follow the routine Western. The juvenile trade will enjoy it well for it is fast-moving and has plentiful comedy. But it is a little too far-fetched in some spots for adults. For instance, the hero, without knowing anything about aeroplanes, gets into one and pilots it perfectly, overtaking the villain, who was abducting the heroine. The first half offers the comedy situations; this is brought about by the boastful manner of the hero, who imagines himself a heroic figure. The situation in which he acts in a motion picture and is given the part of an automobile racer is particularly comical; he is told to beat the other racers. He takes it so seriously that he, in doing so, nearly kills everyone in his way. The closing scenes are exciting; they show the villain first abducting the hero to get some information about a locket he had taken from one of their gang which contained the exact whereabouts of a hidden fortune, which they had stolen from a bank. When he tells them the heroine has the key they knock him unconscious and go after the heroine. He manages to escape, save the heroine, and recover the money for the bank. For this he is decorated by the town and given a \$5000 reward. By this time the heroine, the star of the picture, in which he acted, loves him and they are united.

The plot was adapted from a story by Harry O. Hoyt. It was directed by George B. Seitz. In the cast are Dorothy Revier, Ed Le Saint, Eddie Kane, Arthur Rankin, Frank La Rue, Robert Ellis, and others.

Suitable for children, adolescents and Sundays.

**"Skyway" with Ray Walker**

(Monogram, Aug. 10; running time, 69½ min.)

Just fair program entertainment. At first, the hero is an annoying character, of the type who are always looking for fights and think they are justified in going around hitting people in the eye. And the heroine speeds along in her automobile at the rate of eighty miles an hour, thinking it is pretty smart, and laughingly tries to get away with it. However, they both change towards the end, where they become somewhat sympathetic. This is particularly so when the hero is unjustly accused of having taken money from the heroine's father's bank. The closing scenes in which the hero races in his aeroplane to overtake the villain who was sailing to South America, are fairly exciting:—

The hero, an air-mail pilot, is discharged for being late in reporting for duty; also for being too ready to pick fights with the other men. The heroine, in love with him, induces him to go to work in her father's bank. This he agrees to do for a time. The work gets on his nerves and when his old employer calls at the bank and tells him about an air-mail proposition which needed financial backing he goes to the president for the loan. He is refused and so he quits his position and goes back with his former employer to help him finance the company. He receives a visit from the villain, one of the bank officials, who tells him he is willing personally to become associated in the new company. He gives the hero \$10,000. The shortage is found out at the bank and the hero is accused of having taken the money. The official, who was on his way to South America, cables that he did not give the money to the hero. Chartering a plane, the hero goes after the villain, takes him off the boat, and hands him over to the officials. They find that he had taken \$300,000 of the bank's bonds for his own use. The hero and the heroine are married.

The plot was adapted from a story by Paul B. Franklin. It was directed by Lew Collins. In the cast are Arthur Vinton, Claude Gillingwater, Jed Prouty, and others.

Children will not understand the relationship between the villain and the woman he was taking away with him; for adolescents, no; for Sundays, no.



fair balancing of power that the independents may hope to get justice.

Notice that no representation is given in these boards to the independent distributors.

*Grievance Boards*, to be appointed by the Code Authority, to consist of the following:

- One national distributor with theatre affiliations.
- One distributor without circuit theatre affiliations.
- One affiliated exhibitor (if there be one).
- One unaffiliated exhibitor.

One neutral person, approved by the Administrator, who shall act as an impartial representative of the Code Authority, and who shall vote only in case of a deadlock.

The function of these Boards will be to hear general complaints, particularly of the following nature:

"(a) The licensing of more motion pictures than are reasonably required.

"(b) The adoption of an unfairly competing operating policy of unnecessary and too frequent changes of motion pictures.

"(c) The exaction without just cause of an agreement from any distributor as a condition for entering into a contract for motion pictures that such Distributor refrain from licensing its motion pictures to the complaining Exhibitor.

"(d) The Commission of any other similar act with the intent and effect of depriving without just cause the complaining Exhibitor of a sufficient number of motion pictures to operate such Exhibitor's theatre."

Under section 3, the Local Grievance Board shall determine whether or not the exhibitor complained of committed any breaches of the aforementioned unfair trade practices and shall make an award either dismissing the complaint or granting such relief as it may deem appropriate. Such Board shall have no authority to award damages.

In view of the important functions of such Boards, it is necessary that their power be balanced; that is, the representation be equally divided between independents and majors. The division now is three representatives of producer-distributors to one independent exhibitor. The qualification "if there be one," placed after "One affiliated Exhibitor," seems to be a joker, for it is very well known that there are affiliated exhibitors in every zone.

But why should there have been placed on the Grievance Boards distributors, when the specific complaints referred to in relation with the functions of these Boards concern only exhibitors?

The division of representation becomes much more important when you bear in mind that these Boards will have the power to order a boycott against a recalcitrant exhibitor. The Analysis of the independents states the following on this point:

"Thus in order to make effective a decision in which those in control of the Board have an interest in enforcing it is proposed to authorize and require the distributors to subject the offending exhibitor to a boycott even more onerous and complete than that condemned by the Supreme Court of the United States in the Paramount (282 U. S. 30) and First National (282 U. S. 44) cases. . . .

"The suggestion made by Mr. Rosenblatt that Section 1 on VE-3 authorizes the Grievance Boards to deal with such important subjects as block-booking, eliminations, foreign and salacious pictures, etc., is without merit. The paragraph merely provides that 'all complaints and grievances not specifically designated to be heard or passed upon in the first instance by the Code Authority, by arbitration or by the Local Clearance and Zoning Board shall be heard and determined by a Local Grievance Committee—' but this obviously refers to complaints or violations of provisions of the Code and not to complaints against practices not dealt with in the Code. That the Boards cannot in any case give relief against distributors is made plain by the limitations on their powers. Thus they are expressly forbidden to make awards of damages, and the terms and conditions of any award may not be 'less favorable to the Distributor concerned than those contained in the license contract of the Exhibitor complained of.' Whatever the Boards may do to exhibitors, they dare not lay hands on the producers or distributors."

In the third revision, the provision referred to by the Analysis has been modified and has been augmented considerably; it now reads as follows:

"Section 4. All complaints and grievance not specifically designated to be heard or passed upon in the first instance by the Code Authority or by arbitration or by the Local Clearance and Zoning Board shall be heard [and determined] by the Local Grievance Board, and if such Local Board by a majority vote of the representatives thereon shall deem that any such complaint or grievance shall be certified to the Code Authority for determination, it shall be so certified, and the Code Authority shall consider and determine the same; otherwise such complaint or grievance shall be dismissed with a right of appeal from such dismissal to the Code Authority. Such proceedings before the Local Grievance Board and before the Code Authority shall be within the periods of time hereinafter prescribed in Sections 6 and 7 thereof." (The bracketed phrase and determined has been omitted from the provision in the third revision; the italicized part of this Section has been added to it.)

The independent groups tried to induce the Deputy Administrator to say what this provision really means. If it means that the Grievance Boards are authorized to hear complaints of any nature, then the powers of such Boards will be so sweeping that he who signs a Code containing a provision of this kind places the future of his business in the hands of such a Board. Its powers will be autocratic.

It would not be so bad if the balance of power were evenly divided. But with the majority preponderantly "major," the independent exhibitor will be at the mercy of the major companies. The privilege given to an independent to appeal to the Code Authority in case he felt that the decision of the Local Grievance Board is unjust and unfair to him is no comfort, for the Code Authority itself will be, as already said, dominated by the major companies, if the Deputy Administrator appoints on such a body the persons whose names have appeared in the trade papers as the probable candidates.

On this matter, the Analysis states the following: "The Deputy Administrator evidently has followed the precedents in certain other codes of establishing a small administrative body with representation according to investment. In so doing he has confused two very important functions. The bare administration of a code in which rights and obligations are specifically defined is one thing; the determination of the rights of the contending parties is quite a different thing. Moreover, we do not concede that, on a proper survey and analysis, the independent producers, distributors and exhibitors represent a smaller investment in the industry than the major producers who would exercise absolute domination under the Revised Code set-up." The Analysis might have added that, even if after a proper survey it were found that the investments of the major companies combined are greater than the investments of the independent producers, distributors, and exhibitors combined, this has been accomplished by the employment of monopolistic practices the extirpation of which the independent groups seek. Had the Harding, Coolidge and Hoover administrations enforced the Sherman and Clayton Acts, the situation today would have been entirely different.

#### DISTRIBUTORS

In the section that is devoted to the distributors the following are the provisions that are criticized in the Analysis:

*Part 3 (a): "No Distributor shall substitute for any feature motion picture described in the contract therefor as that of a named star or stars or named director or named well-known author, book or play one of any other star or stars, director, author, book or play, nor shall such Distributor substitute any other feature motion picture for one which in the contract therefor is designated 'no substitute'; and no Exhibitor shall be required to accept any such substitute motion picture."*

The sentence in italics was not contained in the early Code; it has been inserted into this revision as a result of criticism contained in the Analysis.

In the second revision there was inserted a provision compelling the distributor to furnish the exhibitor a description of the pictures that are not of a star or of a director series, but in the third revision it has, as said elsewhere in this article, been omitted. There is no excuse for this omission; the buyer is entitled to a description of the goods at the time of sale. Much more so in this industry when improper goods cannot be returned, and when such goods affect the moral welfare of the young, for whose education the nation is spending hundreds of millions of dollars every year. Since salacious pictures are driving picture-patrons away from the theatres, thus affecting employment and wages, and

(Continued on Section Two)



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### X-RAYING THE 1933-34 PRODUCTS—Article No. 1

The analysis of the merit of each different picture of the different producers' products on which information is available would have been printed in these columns early in October were it not for the fact that a great deal of my time was taken up with the Code, and that I was waiting to see how far the Code would go so as to advise you of your rights in accordance with its provisions. But the final adoption of the Code has been prolonged so much that I thought I would no longer delay.

The estimate of the merit of each major company's product will be based on the average quality of those pictures about which information is available. The theory is this: those who decide upon the book, play or magazine story material decide also upon the original material for pictures. Consequently the average merit of the one group cannot be much different from the average quality of the other group. If the novel, play or magazine story material shows a high average quality, the original material should be of about the same quality; if it shows low average, low is, as a rule, the average quality also of the original material.

#### Columbia

Columbia has sold 35 pictures in the "Forward" group and 12 western melodramas or of other kind.

LADY FOR A DAY, a Frank Capra production. Very good.

MAN'S CASTLE, Frank Borzage production. Powerful material. Picture will be reviewed perhaps next week.

TWENTIETH CENTURY: The material is good and should make an entertaining comedy revolving around the theatrical profession.

THE PARTY IS OVER: The material should make a pretty good domestic picture of the program grade.

FOG: The material should make a pretty good murder melodrama.

HELLO BIG BOY: No facts are given with this title to enable one to determine what kind of picture this will make except that it will be a musical picture.

THE NINTH GUEST: A weird melodrama, very gruesome, but powerful; there are too many deaths (murders) in it.

ONCE TO EVERY WOMAN: This dramatic material offers possibilities; the outcome will depend on treatment.

LET'S FALL IN LOVE: With the exception that it will be a musical picture, no facts are given to help one determine how good a picture it will be.

MOST PRECIOUS THING IN LIFE: Deeply appealing material of mother love, with college background.

BLACK MOON: Horror material with Haiti as the background. Something similar to "White Zombie."

NIGHT BUS: This will be the second Frank Capra production. It is a novel, by Samuel Hopkins Adams, and Columbia intends to put Robert Montgomery in the leading part. The material is light but entertaining, with plentiful comedy. The hero is a persistent lover, and the heroine is the daughter of wealthy parents; she had run away from home, and the hero met her on a bus running from Florida to New York.

Information about the other "Forward" pictures is not available.

THRILL HUNTER, with Buck Jones: Silly but entertaining. Reviewed on Page 171.

POLICE CAR No. 17: A thrilling melodrama, with the hero a police officer who uncovers and arrests some criminals, one of whom was friendly with the heroine, daughter of a crippled police inspector. Reviewed on Page 170.

The others are not described, but every Columbia western or action melodrama is, as a rule, of a quality above the average.

#### First National

First National has announced thirty pictures, "The

Wonder Bar," with Al Jolson and Kay Francis, 4 Special Attractions, 13 Star Attractions, and 12 Personality Attractions.

BUREAU OF MISSING PERSONS: (A Star Attraction): Just fair with several places in it very suggestive; unsuitable for families. Reviewed on Page 146.

WILD BOYS OF THE ROAD (Personality): A very strong melodrama with deep human interest. One situation makes it unsuitable for the family circle. Reviewed on Page 154.

THE WORLD CHANGES, with Paul Muni (a Special Attraction): Good but not extraordinary. It derives its chief value from the presence of Mr. Muni. Reviewed in this issue.

BRITISH AGENT, with Leslie Howard (Special): Fair material.

DARK HAZARD (Personality), with Edward G. Robinson. Good material; different—dog racing mostly.

Information about the other pictures is not given. And the pictures about which it is given are not enough to give an idea about the entire program.

#### Fox

Fox has adopted the Paramount plan this year and has announced no more than 65 and no fewer than 40 pictures.

According to a letter a Home Office executive wrote to branch managers last July, the sales policy of the Fox Film Corporation would be to release one so-called big picture each month, as follows: "Pilgrimage," "The Power and the Glory," "Fox Movietone Follies," "Music in the Air," "The World Moves On," "All Men are Enemies," "Berkeley Square," "The Grand Canary," "Pekin Picnic," "Kiss and Forget," "Little Man What Now," and "Marie Gallante." But something has gone wrong with the original policy, for this system has not been followed exactly.

Let us first analyze the quality of these twelve "leaders" of Mr. Kent to see what they are:

"Pilgrimage": This picture flopped terribly as a Special. Fox showed it two-a-day at the Gaiety in this city and had to send out free tickets to make any kind of audience showing. It would have proved a very good program picture but not a Special.

"The Power and the Glory": This has been produced by Jesse L. Lasky. Though it is not bad, it has proved a flop at the box office for the reason that Lasky's invention (the Narratage) proved confusing. In addition, it was in bad taste in that it showed a son seducing his stepmother, who later gave birth to a child. When the father became aware of the fact that the child was not his but of his son's he killed himself.

FOX MOVIE TONE FOLLIES, MUSIC IN THE AIR, and THE WORLD MOVES ON, are not described either in the contract or the work sheet; therefore I cannot give you any information on them.

ALL MEN ARE ENEMIES: Poor story material and very sexy.

BERKELEY SQUARE: Very well produced, but it is a picture only for the classes; the masses will go to sleep on it.

THE GRAND CANARY: As a book it is tripe; but it offers some possibilities for a picture. It all depends on how it will be treated.

PEKIN PICNIC: Fair material unfolding in China, with white characters. The most interesting part is where the whites are captured by Chinese bandits. It is considerably sexy, too.

KISS AND FORGET, LITTLE MAN WHAT NOW? and MARIE GALLANTE—Nothing is known of them.

As you see, the material for the "One a month big picture" plan does not show much strength.

(Continued on last page)



### **"Ladies Must Love" with June Knight and Neil Hamilton**

(Universal, Sept. 25; running time, 73 min.)

Although produced lavishly, it is ordinary entertainment. It revolves around a group of gold-diggers and their tactics. The story is trite, the action is rather slow, and the characters are not of the type that arouse sympathy. Nothing novel has been done in the treatment of the theme, except that incidental music is used in place of dialogue in some instances. In addition, as is usual in pictures of this type, it is demoralizing in that one sees a group of girls living in luxury, by their wits. One is never held in suspense as to the outcome of the love affair of the hero and the heroine, even though there are several misunderstandings and partings:—

The hero, a wealthy young man, falls in love with the heroine, a night club singer. She lives with three girl friends, who are typical gold-diggers, never working. The four girls sign an agreement to share whatever possessions they may obtain from men. When the heroine refuses to accept jewels or money from the hero her three friends are frantic and think she has gone crazy. But she had fallen in love with the hero and did not want to accept gifts from him. One day while at her apartment he finds the agreement that the girls had signed and thinking she was playing him for a sucker he leaves her in anger. She moves away from her friends and goes back to work. In the meantime the hero becomes engaged to a society girl and one evening comes to a cafe where the heroine is singing. She sees him and begs her friends to go to him and explain that the paper was signed in jest. The friend does this and brings about a reconciliation between the hero and the heroine.

The plot was adapted from a story by William Hurlbut. It was directed by E. A. Dupont. In the cast are Sally O'Neil, Dorothy Burgess, Mary Carlisle, George E. Stone, Maude Eburne, Oscar Apfel, Edmund Breese and others.

Not suitable for children, adolescents, or for Sundays.

**SUBSTITUTION FACTS:** This is replacing 5025, listed on the contract as "Black Pearls," and described as "A story of love and adventure in the South Seas." It is a theme substitution.

### **"The World Changes" with Paul Muni, Aline MacMahon and Mary Astor**

(First Nat'l, Nov. 25; running time, 91½ min.)

The outstanding thing about "The World Changes" are the excellent performances by Muni and the supporting cast; the story is similar in some respects to other pictures done by the Warner Bros. such as "I Loved a Woman." The interest, however, is held mainly because of the sympathy one feels for Muni, who makes useless sacrifices for his spineless family. The first half, which shows how Muni's father and mother, pioneers of the West, build their home and ranch, is interesting and has some good comedy moments, such as the entrance of soldiers at a celebration and the surprise shown by the Westerners when they hear there had been a civil war in the United States. The second half, however, is heavy and tragic, with little comedy relief. It shows the decline of Muni's family, caused mainly by his neurotic wife, Mary Astor, who was so ambitious socially that she hated the meat business her husband had been engaged in, refusing to allow her sons to enter the business, pampering and spoiling them instead. An unpleasant situation is the one in which Mary Astor, shocked by Muni's suggestion that she would land in an insane asylum, falls in a faint. Even worse than that is the one in which she enters her husband's bedroom, with a wild stare in her eyes, and raves in an insane manner.

In the development of the plot Muni leaves his home in the West and goes to Chicago, where he starts the meat packing business. He meets Mary Astor and marries her. She is socially inclined and despises Muni's business. Muni forges ahead and becomes a great power in the financial world. They have two sons, and because of their mother's treatment, they turn out to be incapable of doing any work. After Mary's death Muni sells his business and goes to New York where he buys a seat on the stock exchange for Donald Cook, one of his sons, who marries Margaret Lindsay, a snobbish society girl. The other son is useless. The years pass; Donald and Margaret have a daughter and two sons. Margaret is unfaithful, the older son is gambling with the firm's money, and the daughter is about to be married to a middle-aged, stupid, penniless titled Englishman. The only one to show the fine strain of Muni's family is the younger boy. Muni is lonely and is happy when he

receives a letter that his ninety year old mother is going to visit him. She brings with her the young daughter of Muni's former sweetheart. This girl and the worth-while grandson fall in love. The stock market crash brings about the ruination of Donald Cook and he kills himself. The Englishman leaves the daughter at the altar when he hears about the crash. Muni dies of the shock when he saw his dead son. The old mother takes her great-grandson and the young girl back with her to the ranch where they marry.

The plot was adapted from a story by Sheridan Gibney. It was directed by Mervyn LeRoy. In the cast are Allan Dinehart, Guy Kibbee, Henry O'Neill, Jean Muir, Anna Q. Nilsson, Theodore Newton, Patricia Ellis, Willard Robertson, Douglas Dumbrille, and others.

Not suitable for children, adolescents, or for Sundays.

### **"The Kennel Murder Case" with William Powell and Mary Astor**

(Warner Bros., Oct. 28; running time, 72 min.)

In "The Kennel Murder Case" William Powell returns to the screen in the role of the famous detective, Philo Vance. It is a good murder mystery melodrama, holding one in suspense throughout. Several people are suspected of the murders and it is not until the very last scene that the identity of the man is made known. It is worked out very cleverly and there is a novel twist to it, in that the detective is aided in his work by two dogs; one of them discovers the presence in the house of an injured dog which was an important clue; the other dog jumps on the murderer who had struck him at one time, giving the detective the necessary proof. It has enough mystery and suspense to hold the interest of fans who go in for such stories.

The plot was adapted from the story by S. S. Van Dine. It was directed by Michael Curtiz. Others in the cast are Eugene Pallette, Robert McWade, Frank Conroy, James Lee and Arthur Hohl.

Children may be frightened; otherwise suitable for them, adolescents and for Sundays.

### **"One Year Later" with Mary Brian and Donald Dillaway**

(Allied Pictures; running time, 67 min.)

Although this picture has human interest and sympathy is felt for the hero and the heroine, yet such a long time is taken to establish the story, and it moves so slowly, that the spectator loses interest when it is half over. If the audience had known the facts concerning the arrest of the hero immediately instead of waiting for a flashback in which the story is told much more interest would be felt in the possible reconciliation between the hero and the heroine. In addition, one of the leading characters suffers from tuberculosis and his continuous coughing depresses one considerably. There is some comedy, but not enough to liven up the action. Practically all the action takes place on a train:—

The hero and the heroine are married and leave for New York to live. One year later shows them on the same train but under different circumstances. He is handcuffed and is on his way to prison to be electrocuted for having murdered his employer. The heroine pleads with him to see her but he refuses. On the same train is a newspaper reporter who had covered the trial. He is suffering from tuberculosis and is on his way to a sanitarium. The heroine tells him the true story: Her husband's employer had tried to force his attentions on her; she had repulsed him and after a quarrel in which the hero had participated, the hero had been discharged. She had gone to the employer's home to plead with him to reemploy the hero. The hero had followed her there and in a quarrel that had followed the employer had been shot accidentally. The reporter, telling the hero the story as told to him by his wife, induces the hero to see his wife. It is now even more difficult for them to part. The reporter, feeling that he was going to die anyway, knocks out the detective when he was not looking, frees the hero from the handcuffs, and gives him his hat and coat. He puts on the hero's hat and coat, rushes through the train and when they reach a very high point on a bridge he jumps to his death. Everyone thinks it is the hero who had killed himself. When they reach the station at which the reporter was supposed to have left the train, the hero and the heroine leave, to start life over again.

The plot was adapted from a story by F. Hugh Herbert and Paul Perez. It was directed by E. Mason Hopper. In the cast are Russell Hopton, DeWitt Jennings, Will and Gladys Ahern, George Irving, Sidney Searl, and others.

Not suitable for children, adolescents, or for Sundays.



**"The Wandering Jew" with Jacob Ben-Ami**  
(Herman Ross; running time, 70 min.)

This is a modern version of the story of "The Wandering Jew," in which the present anti-semitic situation in Germany is used as the background for the suffering of the race. The story revolves around the hero, an artist, who suffers and is ostracized because he is a Hebrew.

The dialogue is in Yiddish, and English titles have been used to explain what is being said.

Hebrew audiences will be deeply moved by this picture, and those who are not of Hebrew extraction but who sympathize with them in their present trials will be touched. At times the picture is heart-rending.

The situations that show the hero at home, brooding because of the loss of everything that is dear to him, and the noise of the Nazis marching through the streets and singing their songs of hate against the Jews, are pitiful. Actual photographs taken in Germany showing the Nazis marching at their demonstrations and even at the recent burning of the books written by Jews, have been cleverly worked into the story:—

The hero's masterpiece, a painting, is rejected by the Academy because he is a Hebrew. The rejection is accompanied with a dismissal from the Academy as a professor. The heroine, his German Christian sweetheart, deserts him; she fears consequences because of her associating with a Jew. The hero, in a rage, is about to cut the painting into pieces, when the picture suddenly comes to life and the figure of his father steps from it. He cautions him not to ruin the picture and delves back into the history of the Jews, showing that they had been mistreated before, but that each time they lived through it and retained the spirit that makes them go on being Jews. The father holds out hope to him that probably in the land of Palestine the Jews will finally find a homeland. He points out that the outrages against the Hebrews are a sign of weakness and desperation rather than that of strength. The hero, with renewed courage, sets out for another land to continue his work.

Although the interpolations of different crises in the history of the Jews have been taken from old films, they are effective. It starts with the Babylonian Captivity and works up to the pogroms of the Russian Cossacks.

Jacob Ben-Ami is ably assisted by Natalie Browning, M. B. Samuylov, Ben Adler, and others. It was directed by George Roland.

**"To the Last Man" with Randolph Scott,  
Esther Ralston and Buster Crabbe**  
(Paramount, Sept. 15; running time, 68 min.)

Followers of westerns will find plentiful action and a plot that holds one in suspense in this Zane Grey story. The spectator is held in suspense because of the feud existing between two families and the fear one feels lest harm come to the various members of the families. Human interest is developed by the love affair between the hero and the heroine, members of the fighting families. The closing scenes are extremely exciting, particularly when the villain blasts the side of a mountain causing a slide and killing several men; also the situation in which the heroine hides the hero, who had been wounded, in her home, and the fight that eventually occurs between him and the villain.

The story deals with the feud that existed between two Kentucky families for generations.

The picture was directed by Henry Hathaway. Others in the cast are Jack LaRue, Noah Beery, Barton MacLane, Muriel Kirkland, Gail Patrick, Egon Brecher, and Fuzzy Knight.

There is one situation where the heroine goes swimming in the nude and the villain follows her which is somewhat suggestive; exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

**"Love, Honor and Oh! Baby" with  
Slim Summerville and Zasu Pitts**  
(Universal, Oct. 16; running time, 62 min.)

For average audiences this is an amusing comedy. But the theme is demoralizing and in bad taste in that both the hero and the heroine resort to blackmail by framing a wealthy old man and then suing him for breach of promise. The fact that Slim Summerville and Zasu Pitts take the leading parts somewhat softens the unpleasantness of the story, since they make it all appear so ridiculous and improbable—they burlesque it. The situation in which they involve the old man by spilling honey on his suit, and then sprinkle him with water by use of a shower connection,

making him believe that it was raining, is very funny. The court room scenes, too, provide many laughs when Slim plays up to the jury by making it appear as if Zasu were an innocent girl:—

Zasu and Slim are engaged. Slim is an ambulance-chasing lawyer and business is very bad. With the help of Zasu's uncle and aunt and the aunt's sister, he plans to frame Zasu's employer, a wealthy old man with an eye for pretty girls. Zasu is supposed to leave on a business trip with him and when he calls for her at her home he finds her in a kimono. She follows all of Slim's instructions and when they enter the room they find him clutched in Zasu's arms. They order him from the house, and then bring an action for breach of promise. He denies everything at the trial and insists that the reason why he removed his jacket was because it had become wet when he attempted to close the window during a thunderstorm. He did not know that Slim was using a shower from the apartment opposite and making it appear as if it were raining. Slim naturally has as a witness the weather bureau man who claims that it had not rained that night. In spite of the fact that the aunt's sister, in an endeavor to play up to the old man because of his money, had testified against Zasu the jury is in her favor and they bring in a verdict of \$100,000 damages for her.

The plot was adapted from the play by Howard Lindsay and Bertrand Robinson. It was directed by Edward Buzzell. In the cast are Lucille Gleason, George Barbier, Verree Teasdale, and others.

Not suitable for children, adolescents, or for Sundays.

**"Meet the Baron" with Jack Pearl,  
Jimmy Durante and Ted Healy**  
(MGM, Oct. 20; running time, 66 min.)

The national fame of Jack Pearl, who is known to his radio listeners as the "Baron Munchausen," should draw many people to see "Meet the Baron." It is a good comedy, for the producers did not depend on Jack Pearl alone to put over the funny situations, but surrounded him with other comedians. For instance, Jimmy Durante is at his side most of the time, helping him with his gags; in addition, Ted Healy and his three stooges have several comedy moments in which they are screamingly funny, depending for their gags and comedy on slapstick of the type that goes over with the masses. It has very little story and what story there is makes little sense, but it is purely and simply a slapstick comedy. Some of the jokes are a little rough and have double meanings. Music is worked into the story occasionally, some of the conversation being said in musical form:—

Jack Pearl and Jimmy Durante are deserted in the wilds of Africa by Henry Kolker, an explorer. They are found by other explorers and Pearl is mistaken for Kolker, who was known as Baron Munchausen. He and Durante are taken back to New York where they are greeted by enthusiastic crowds, and Durante acts as Pearl's manager. He talks over the radio and is invited to a girls' college to lecture. At the college he meets Zasu Pitts, the housemaid, and they fall in love with each other. Kolker finds out about the deception and exposes Pearl, but Pearl threatens to have his letter of desertion printed; Kolker is forced to take back what he said. But Pearl cannot go on with the deception, for again he is exposed, this time by his aunt, who was a maid in the college. Zasu Pitts is heartbroken when she learns that her Baron is nothing but a "pants" presser. Durante and Pearl are thrown out of the college. But luck is still with them, for Pearl had made such an impression on his first talk over the radio that he is given a contract to broadcast each week at a salary of \$2,500 a week. Zasu had in the meantime forgiven him and followed him, and he promised her never to tell a lie again—may their children be born acrobats if he tells another lie. When the twins are born they are acrobats.

The plot was adapted from a story by Herman J. Mankiewicz and Norman Krasna. It was directed by Walter Lang. In the cast are Edna May Oliver, Ben Bard, and others.

Children will not understand the remarks that have double meanings; adolescents, no; Sundays, no.

**ONLY ONE ROTHSCHILD PICTURE**

Darryl Zanuck has telegraphed to this office that there will be only one Rothschild picture produced—that of United Artists. His company has reimbursed Warner Bros. for the sum of money they had spent in preparing their Rothschild story as a compensation for giving up their rights to such a story.



Here is an appraisal of the other pictures that are described in the Work Sheet:

**PADDY, THE NEXT BEST THING:** An excellent picture with Janet Gaynor. (Reviewed on Page 139.)

**THE GOOD COMPANIONS:** A British production. It has a certain charm but it is too slow for Americans.

**CHARLIE CHAN'S GREATEST CASE:** Just a fair detective melodrama.

**DR. BULL, With Will Rogers:** Very good.

**MY WEAKNESS:** Fair, for high class custom.

**WALLS OF GOLD:** Poor.

**THE WORST WOMAN IN PARIS:** I have not seen this picture yet, but reliable information has it that it is "the worst picture in America."

**SMOKY:** Fair program material of the Western variety.

**THE LAST TRAIL:** A good Western.

**THERE IS ALWAYS A TOMORROW:** Good low program comedy.

**I WAS A SPY:** Possibilities for a good espionage melodrama.

**ORIENT EXPRESS:** Thin material and pretty dirty, with degenerate implications. If the book should be followed faithfully, no chance.

**DAVID HARUM:** If Fox should follow out the original intention of giving this old-fashioned play to Mr. Rogers, it should make an outstanding Rogers comedy, for it fits him better than any other screen actor of his type.

**SLEEPERS EAST:** Material for a fairly good mystery melodrama.

**THE CONSTANT NYMPH:** Material thin and exceedingly sexy. It will be produced in Great Britain.

**THE HOUSE OF CONNELLY** with Janet Gaynor: The material is considerably sexy but it is assumed that it will be altered; otherwise it will hurt Janet Gaynor. Possibilities fair.

According to the Home Office letter mentioned in the beginning of the Fox part of this analysis, the system which will be followed in the sale of these pictures is the following:

"Four pictures at 30% to a split figure with proper guarantee.

"Twelve pictures at 25% to a split figure with proper guarantee.

"The balance 20% flat."

The letter continues:

"Now this sales plan was basically set up because of the very ambitious code designed for our production department by Mr. Kent. The first foundation being the Big picture a Month Plan. That meant one big box office production a month—to come from other than known personality pictures."

(To be continued next week)

## NOT ALONE IN THE BATTLE FOR BETTER CODE PROVISIONS

The independent groups, in carrying on their battle for code provisions that will eradicate unfair trade practices, are not battling alone; many newspapers and magazines are lending them their aid.

One of these magazines is *The Christian Century*. The October 25 issue prints the following telegram which the management has sent to President Roosevelt:

"The Christian Century urges the President of the United States not to sign the proposed motion picture code until it contains provisions which adequately recognize the industry's social responsibility. Specifically we urge, first, a provision outlawing block-booking, thus restoring to the local exhibitor the right to choose his pictures and a corresponding responsibility to his local community; second, a provision requiring the distributor to submit a thousand-word synopsis of every picture offered for sale to an exhibitor so that the latter may choose intelligently; third, an enforcement clause in article six to the effect that the exhibitor shall not be required to pay for any picture judged by the code authority to be a violation of the moral standards pledged in that article; fourth, a new article authorizing the state department to withhold from foreign circulation those films which tend to impair international good will or to impair America's reputation abroad. In its present form the code seems designed only to protect the profits of the producers rather than the welfare of the American people. The spirit of the new deal is not in it. We believe that the provisions suggested above are the minimum needed to put it there."

In the November 1 issue of the same magazine the following is part of an editorial comment made on the analysis submitted to the Deputy Administrator by the independent groups:

"... Further, it contends that the Code Authority... is so constituted that it will be controlled by a few large producers and that it makes of them a never-ending hierarchy. Finally, it reminds the president and the NRA administrator that one of the mandatory provisions of the act is that no code may permit monopolies or monopolistic practices, and it submits that the proposed movie code violates this provision. The men who have issued this protest are a minority within the industry; they are the saving remnant on whom the hopes of the movie public and the industry's future depend. The President now has before him, not only the protests of such a representative body as the Motion Picture Research Council headed by Dr. A. Lawrence Lowell and signed by more than one hundred distinguished citizens, but of this sizable minority within the industry. These have been supported by letters from the Massachusetts Civic League and the Maryland League for Better Films, not to mention the telegrams from *The Christian Century* and no doubt many of its readers. We shall soon know whether or not such voices have made enough noise in Washington to be heard above the din that the Hays office has been making in its frantic efforts to defend the present system."

The New York Herald-Tribune, one of the first-line big-city papers, too, has supported the cause of the independent groups. In an article which it printed in the Saturday, October 28, issue, as a result of an interview with the writer, the grievances of the independent groups were put before a considerable part of the American public. The article reads partly as follows:

"The independent motion picture producers, distributors and exhibitors, dissatisfied with the motion picture code as recently revised by the second time by Sol A. Rosenblatt, deputy administrator of the NRA, will carry their fight against certain provisions of the code to the public, it was learned yesterday. . . ."

The article then enumerates the unfair trade practices which have not yet been outlawed, and against which the independent groups are battling.

The trouble with the code is its failure to take into consideration the interests of the picture-going public. The public has been educated to know that block-booking and blind-buying is an evil, in that because of it the theatre owner is forced to show to the people of his community undesirable pictures, and as long as these practices are permitted the public will not be satisfied. If the Code will not undertake to outlaw them now, the fight against these practices will continue.

## WHY THE DEPUTY ADMINISTRATOR SHOULD PUT INTO THE CODE A STRONG PROVISION AGAINST FILTHY ADVERTISING

A handbill, passed around in Philadelphia by the Alhambra Theatre, a Warner Bros. house, reads as follows:

"You can't tell your daughter what LOVE is—But . . . Have you told her what Sex is?"

"DAUGHTER: Did mother tell you:—

"1. That an unmarried girl may become a mother?

"2. Why you must not let a boy friend get 'too familiar'?"

"3. The truth about your Love-Desires?

"4. What a man means when he says 'I'm crazy about you' but does not say 'I love you'?"

"5. What petting parties lead to?

"SON:

"Did your father tell you:—

"1. Why a boy gets 'Fresh' with girls?

"2. The difference between love and sex?

"3. Why a 'harmless kiss' becomes a dangerous DESIRE?"

"4. What happens when a boy goes too far in 'romancing'?"

"5. Dancing . . . necking . . . petting. What are they all about?"

"PARENTS: Of course nothing could happen to your son or daughter but do you know: There are 5,000 unwed mothers in Philadelphia? What is the answer? See

"WHAT PRICE INNOCENCE?"

I have seen other producers sink low in advertising ware in the theatres they operate, but never as low as the Warner organization has sunk.

I wonder what the Code Administration in Washington will say when they read about these facts. Will it put into the Code a provision making such "vomiting" impossible?

For your information this is the picture the Pennsylvania censors rejected at first and then reconsidered their decision and approved it.



# HARRISON'S REPORTS

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Vol. XV

SATURDAY, NOVEMBER 11, 1933

No. 45

## X-RAYING THE 1933-34 PRODUCTS—Article No. 2

### Metro-Goldwyn-Mayer

This company has sold its pictures by numbers also this season. Information about the stories many of these pictures will be founded on has been obtained from announcements made either in the trade papers or in the New York dailies.

The number of pictures MGM has sold is 46:

BIOGRAPHY: Fair to poor sexy material.

THE ROAD TO ROME: Sophisticated comedy-drama with ancient Rome as the background; not for the masses.

EVELYN PRENTICE: Fair material; too sexy.

THE GOOD EARTH: Poor material with China as the locale and Chinese as the characters.

THE PAINTED VEIL: Fair sexy material.

THE FOUNTAIN: Mediocre material reeking with sex.

THE BARRETT'S OF WIMPOLE STREET: Excellent dramatic material.

NIGHT FLIGHT: Poor picture for an expensive one: Reviewed on page 163.

MRS. VAN KLEEK: Fair sexy material with an epidemic as part of the back-ground. The main character is a woman who conducted a hotel where married men could take the other men's wives and dine and wine them, and who kept girls as an emergency so that her guests might not be out of luck in case they went there without women.

TWO THIEVES: A great spectacle of Biblical times, with Romans and Jews as the characters.

IT HAPPENED ONE DAY: It has possibilities.

THE PARADINE CASE: Excellent murder-trial melodrama.

THE VINEGAR TREE: Fair sophisticated material.

THE OLD MAID: Good emotional material.

MARIE ANTOINETTE: Powerful dramatic material of the French revolution and pre-revolution days.

FORSAKING ALL OTHERS: Mediocre material.

MYSTERY OF THE DEAD POLICE: Very good detective-murder mystery material.

DINNER AT EIGHT: A good picture for adults. Reviewed on Page 138.

PENTHOUSE: A fast-moving gangster melodrama. Reviewed on page 146.

STAGE MOTHER: A fairly appealing unhappy drama of mother love. Reviewed on page 158.

BOMBSHELL: Good comedy. Reviewed on page 170.

The reader must remember that not all these unproduced pictures will be delivered this season; some of them may be delivered next season or even the season after next. "Tugboat Annie," for example, was announced in the 1931-32 season but was delivered in the 1932-33 season. The same is true of "Hell Below" ("Pigboats").

### Majestic

Majestic has sold 12 pictures:

SING, SINNER, SING: Fair picture. Reviewed on page 130.

CURTAIN AT EIGHT: Fair picture. Reviewed on page 150.

AGE OF INDISCRETION ("Collusion"): Filthy; no merit to the material.

MY LIFE: Fair biographical material of Isadore Duncan.

A LAUGHING WOMAN: Filthy; no merit to it.

WILD GESE: The material should make a picture anywhere from fair to good.

THE ROSARY: Good possibilities.

Information about the others is not available.

### Monogram

Monogram has sold 30 pictures:

THE AVENGER: A pretty good murder melodrama.

SWEETHEART OF SIGMA CHI: A very entertaining musical comedy.

BROKEN DREAMS: Very good emotional drama. Reviewed in this issue.

SIXTEEN FATHOMS DEEP: Material for a nice program melodrama.

JANE EYRE: Very good possibilities.

THE MOONSTONE: Possibilities for a mystery melodrama.

THE WOMAN IN WHITE: Good possibilities for a dramatic picture.

Information about the other pictures is not available.

### Paramount

Paramount has announced a maximum of 65 pictures:

THREE CORNERED MOON: Good domestic comedy. Reviewed on page 130.

SONG OF SONGS: A fair entertainment; but small-town exhibitors may not be able to show it because it shows the statue of a nude woman almost as in life.

THE BIG EXECUTIVE: Mediocre: Reviewed on page 167.

THIS DAY AND AGE: Good. Reviewed on page 138.

ONE SUNDAY AFTERNOON: Fair. Reviewed on page 142.

TORCH SINGER: Excellent. Reviewed on page 147.

TO THE LAST MAN: Good western. Reviewed on page 175.

GOLDEN HARVEST: Pretty good. Reviewed on page 171.

TOO MUCH HARMONY: Good. Reviewed on page 154.

I'M NO ANGEL: Good entertainment but "strong" stuff. Reviewed on page 166.

THE WAY TO LOVE: Fairly good.

TILLIE AND GUS: Fair comedy.

TAKE A CHANCE: Just an ordinary musical comedy.

HELL AND HIGH WATER ("Captain Jericho"): Poor.

SHOE THE WILD MARE: Poor material.

THE CRADLE SONG: Fine material but it is suitable mostly for the classes.

CLOUDY WITH SHOWERS: Fair program material.

ALL OF ME (CHRYSTALLIS): Thrilling but unsuitable for families.

THE LIVES OF A BENGAL LANCER: Biographical material of doubtful value.

DESIGN FOR LIVING: Terrible material.

DEATH TAKES A HOLIDAY: Material strong but not popular; it deals with death coming to earth and assuming human form to test the character of people.

LONE COWBOY: Western biographical material of doubtful value.

THE HANDSOME BRUTE: Unpleasant thrilling material.

COME ON MARINES: Excellent program material.

ALIEN CORN: Very good material for the classes.

DOUBLE DOOR: Powerful material but unpleasant.

SAILOR BEWARE: Very vulgar. It deals with the efforts of the sailor-hero to seduce a cabaret girl of good morals. The language employed by the characters will make a streetwalker blush.

The exhibitor must remember that not all these stories will be produced and delivered during the 1933-34 season. The Paramount contract does not specify the sort of pictures the exhibitor will receive; the facts in this analysis have been taken from announcements in the trade papers as well as from the Paramount Work Sheet.

(To be concluded next week)



### **"Day of Reckoning" with Richard Dix and Madge Evans**

(MGM, October 27; running time, 70 min.)

There will be many a person who will find this picture appealing, and therefore entertaining, because there are thrills in it and many situations that stir the emotions of sympathy deeply. But the motive of the action deals with the basest, lowest, meanest traits of the human kind, for there is shown that a friend (Conway Tearle), to whom the heroine (Madge Evans), in her desperation, had appealed to furnish the necessary bail so that the hero, her husband (Dix), might be taken out of jail, orders his lawyer to frame the hero so as to send him to jail for a long stretch in order that he might be able to possess Madge, with whom he was infatuated.

Madge does not know what a contemptible cur Tearle is and, feeling grateful towards him, accepts his invitations to visit him at his home. Eventually he gets into her graces and she falls in love with him. The woman he had discarded, however, out of jealousy, enters his apartment one night unperceived and shoots and kills Madge. Tearle is arrested and taken to jail.

In jail, Tearle is placed in the part where was Dix, who had been convicted and sentenced to the city jail for two years for embezzlement; he had taken money from the bank to provide his wife and children with the luxuries he felt they were entitled to.

When Dix sees Tearle he pounces on him, fells him, and pounds his head on the stone floor so hard that Tearle loses consciousness and does not regain it until two days afterwards. No one will testify as to who had assaulted Tearle and so all those in the near cells are given hard work to do.

Raymond Hatton, friend of Dix, scrubs the floor of the room where Tearle lay unconscious and when Tearle regains consciousness Hatton threatens him with death if he should give Dix away.

Dix, by pretending to be ill, is taken to the hospital. He finds an opportunity to sneak up to the roof where Tearle was taking a sun bath and again pounces on him with the intention of killing him. Tearle defends himself and is about to turn the tables on Dix when Hatton, grabbing a crutch, strikes Tearle on the head. Tearle loosens his grip and falls to the pavement and gets killed. This sight is really horrible.

The only part of the picture that appeals to the nobler emotions is that which shows Una Merkel, as the hero's servant, acting also as a nurse to his children, she is superb. In the last scenes, where the hero is shown returning to his children, it will be difficult for one to suppress his emotions.

The picture has been directed by Charles Brabin most skillfully. Stuart Erwin, Wilfred Lucas and others are in the supporting cast.

Unsuitable for children as well as for adolescents. Because of Tearle's intentions towards the heroine, it is not a Sunday picture.

### **"Little Women" with Katharine Hepburn, Joan Bennett, Frances Dee and Jean Parker**

(RKO, Nov. 24; running time, 114 min.)

Excellent wholesome entertainment, with great sentimental appeal; it should be enjoyed by young and old, men and women. The spirit of the book, which is so dear to all young people, has been captured in the picture and presents the story of the happy family, with their joys and sorrows, in the way the reader of the book pictured it. It is beautiful in its old-fashioned charm, oozing with sentiment and human appeal, and has many comedy situations, due to the old-fashioned manners and to the natural prankishness of the four girls, whose acting, incidentally, is superb. Several of the situations are heart-rending, such as the one in which the youngest daughter is very ill, and also later when she dies. Also pitiful is the situation in which the mother is forced to leave her four children to go to Washington to see her wounded husband. The atmosphere and type of entertainment this presents is a relief from the present-day sophisticated drama, and in spite of the fact that it is primarily a woman's picture men, too, should enjoy it. Nothing really exciting happens; it is just an unfolding of the family life consisting of a mother, father and their four daughters. But in that lies its charm.

The four daughters of the family, Katharine Hepburn, Frances Dee, Joan Bennett and Jean Parker love each other dearly and enjoy being together. Their next door neighbor, Henry Stephenson, a wealthy old man, loves them, too, and is happy to see his grandson become friendly with the girls. The boy pays marked attention to Katharine who treats him like a pal. Frances Dee meets the boy's tutor and falls in love with him. Eventually she marries him. The grandson proposes to Katharine but she refuses him even though she loved him; she felt that she was not his type. She begs her

mother to permit her to go to New York to continue with her writing. She goes to a friend's boarding house and in return for her room and board she takes care of the children. There she meets Paul Lukas, one of the tenants, a professor, who takes an interest in her work. Katharine is heartbroken when her wealthy aunt, Edna May Oliver, takes Joan to Europe and leaves her in New York. But she forgets this soon and when she hears that her young sister is ill she rushes home. The sister dies, and eventually Joan returns married to the grandson of their neighbor, who finally realized that Joan was more suited to him than Katharine. Paul Lukas comes to visit Katharine and she accepts his proposal of marriage. There is a happy family reunion.

The plot was adapted from the novel by Louisa M. Alcott. It was directed by George Cukor.

Excellent for all and for Sundays.

### **"Cradle Song" with Dorothea Wieck**

(Paramount, Nov. 17; running time, 78 min.)

For select, high-class audiences this is really fine entertainment; but it is not for the masses. It has been beautifully produced, the performances are restrained, and the whole thing has been done in good taste. There is human interest in the story, and it has a certain appeal to the maternal instincts in most women. Although all the action takes place in a nunnery, and the story revolves around the nuns, it cannot be called a religious picture since religion is at no time forced into the story, except so far as the vows affect the actions of the nuns. But it has no mass appeal; the action is slow and there is no real drama in it. Some of the situations are heart-rending, particularly in the closing scenes, where the nuns are shown bidding farewell to the heroine, who had been reared by them and adored. It is clean and wholesome entertainment, and should be enjoyed particularly by church people.

The story revolves around Dorothea Wieck. She had left her beloved sisters and brothers to enter the convent, and the only thing that disturbed her spiritual peace was the great longing she had for the children. One day a baby is left at the convent, and Dorothea is overjoyed. She begs the Mother to permit the baby to remain there so that she might take care of her. Sir Guy Standing, the town physician who took care of the nuns, realized how much Dorothea needed the child. To make it legal he adopts the baby and then leaves her at the convent under the care of Dorothea. The child grows up to be a fine and beautiful girl and Dorothea adores her, and prays that the girl will not leave her but will remain as a nun. The girl, however, while on an outing with her foster father, meets Kent Taylor, a young engineer, and falls madly in love with him. Dorothea is heart-broken; she knows she is going to lose the girl. At first she resents this but she is brought to her senses by the other nuns who tell her that in her great love for the girl she is trying to ruin her life. The date for the marriage is set. Dorothea and the other nuns sew beautiful garments for the girl. The day of parting is a tearful one; everyone is miserable, particularly Dorothea, who is heartbroken. The girl, too, is unhappy at parting but promises to return some day with her husband.

The plot was adapted from the story by Gregario and Maria Martinez Sierra. It was directed by Mitchell Leisen. In the cast are Louise Dresser, and others.

Suitable for children, adolescents, and Sundays.

### **"After Tonight" with Constance Bennett and Gilbert Roland**

(RKO, Nov. 10; running time, 71 min.)

Just fairly good entertainment. As is the case in most spy pictures, the audience is held in suspense throughout because of the dangerous position the spy is in. It is interesting, too, to see how their work is done and how the information is passed on to their country. There is a romantic angle in it, for the heroine, a spy, falls in love with the hero, the head of the secret service division of her enemy country. Several of the situations will hold the spectator in tense suspense, as for instance the one in which the heroine goes to the hide-out to give her information to her helper only to find that the place is being guarded by soldiers; also the situation in which she unwittingly falls into the trap set for her by the hero. Constance Bennett moves through the picture quite listlessly, and except for one love situation she displays little warmth in her acting. Because of her coolness one does not feel the strong sympathy for her that ordinarily one would feel for a character such as the one she portrays.

The plot was adapted from a story by Jane Murfin. It was directed by George Archainbaud. In the cast are Lucien Prival, Sam Godfrey, and others.

Not suitable for children, adolescents, or Sundays.



**"Broken Dreams" with Randolph Scott, Beryl Mercer, Joseph Cawthorn, Martha Sleeper and Buster Phelps.**

(*Monogram, Nov. 1; running time 70 min.*)

A deeply appealing drama, the result of the love a husband and wife show towards the child of their nephew. The story itself is deeply appealing but it is made more so by the wholesomeness of Joe Cawthorn and Beryl Mercer, and the charm of little Buster Phelps. Randolph Scott is the father of the boy, Buster, whom he had given away to his uncle and aunt, because Buster's mother had died giving birth to him. Scott had not seen Buster for six years and Cawthorn and Mercer reared him as their own child and loved him as affectionately. All at once Scott, who had returned from Vienna an accomplished physician, comes upon the child and is attracted by his charm. He then wants him back. But Cawthorn and Mercer will not give him up so easily. So Scott resorts to the courts for the custody of his own son. The Judge reluctantly awards custody of the child to the father because he could not do anything else. Three unhappy human beings is the result.

Buster is unhappy because his stepmother does not understand him and is always glad to see his aunt and uncle around. Scott and Martha Sleeper, his wife, nearly come to a serious disagreement over the boy but Martha eventually tries to gain Buster's friendship.

During Scott's absence on a case, a young man who was infatuated with Martha, visits her and insists that she run away with him. Martha repulses him and when Buster sees the struggle in his childish way attacks the visitor. The visitor pushes Buster, who falls and strikes his head against a sharp projection. He loses blood and consciousness and it is only by blood transfusion, the blood offered by Martha, that the child's life is saved. This noble act of Martha's brings about a better understanding between Scott and her. There is a happy reunion in the closing scenes, with the entire family, including the dog and the ape.

Every one who will see this picture will love it, children in particular, because there is an Ape mascot who hugs Buster as a real human being. He also does some pranks which will provoke hearty laughter among children.

With the exception of the young man's improper advances towards the hero's wife, which she repulses, there is nothing that will make it unsuitable for children, adolescents, or for Sunday showing.

**"Female" with Ruth Chatterton and George Brent**

(*First National, Nov. 4; running time, 59 min.*)

Although produced lavishly it is just a fair entertainment. But it is objectionable because of the suggestiveness with reference to the heroine's association with young men who worked in her office. The producers have attempted to show that a woman who commands a high position in the business world can demand social relationship from men who work for her the same as a man in her position might demand from his women employees. And the effect of her behaving in this manner, by luring young men to her home seems ridiculous, even though it has been treated somewhat in a comedy manner. The entire story is devoted to her encounters with men: the first half is taken up with her affairs with the men from her office, and the second with her efforts to win the hero:—

The heroine is the head of a large automobile manufacturing concern. She does not believe in marriage, although she does not neglect her love life. Whenever she notices a good-looking man in her employ she invites him to her home to talk over business matters, fills him with vodka, and then suggests that he make love to her. One night, sick of all the people at a party she was giving, she drives out to a shooting gallery and picks up a flirtation with the hero. He leaves her after a while and she, disappointed, goes back home. The next day she discovers that he is in her employ and invites him up to her home. She goes through the same routine with him but he refuses to "fall" for her tricks and tells her he thinks she is cheap. He refuses to have anything to do with her, but she plays up to his sympathies and eventually realizes that she loves him. He suggests that she marry him, but when she refuses he leaves town. Realizing that she cannot live without him, she follows him and tells him she will not only marry him but turn the business over to him.

The plot was adapted from a story by Donald Henderson Clark. It was directed by Michael Curtiz. In the cast are Lois Wilson, Johnny Mack Brown, Ruth Donnelly, Ferdinand Gottschalk, Gavin Gordon, and others.

Not suitable for children, adolescents, or Sundays.

**"Notorious But Nice" with Marian Marsh**  
(*Chesterfield Prod., running time, 72 min.*)

Fair program entertainment. The story is rather trite, but it holds the interest and awakens sympathy for the heroine. This is brought about by reason of the fact that she is the innocent victim of a frame-up, an occurrence which causes her to lose the love of the hero, and later to be accused of a murder she had not committed. There is some suspense, too, in the closing scenes when the heroine is tried for murder.

In the development of the plot the heroine, a clerk in a law office, is shown in love with the hero, a wealthy young man. Her employer seeks to break up the affair because he wants his own daughter to marry the hero. He sends her away on a trip, discharges the heroine, and then later frames her with another man, and makes the hero a witness to this. The heroine becomes ill and is befriended by the girl who had helped frame her. This girl was conscience-stricken and sorry that she had acted as she had. She obtains employment for the heroine in the night-club where she worked. The owner of the club falls in love with the heroine and they marry. The hero comes to the club one night and the heroine's husband, in a jealous rage, accuses his wife of still loving the hero. A shot is heard and the husband is found dead. The heroine is accused of the murder. It later develops that the murder had been committed by enemy gangsters; that the lawyer who had tried to frame the heroine is none other than the girl's own father. The hero and the heroine are united.

The plot was adapted from a story by Adeline Leitzbach. It was directed by Richard Thorpe. In the cast are Betty Compson, Donald Dillaway, Rochelle Hudson, John St. Polis, J. Carrol Naish, Dewey Robinson, Robert Ellis, and others.

Suitable for children, adolescents, and Sundays.

**"Broadway Through a Keyhole" with Constance Cummings**

(*United Artists, Oct. 13; running time, 90 min.*)

The renown of Walter Winchell, who wrote this story, and the tremendous publicity that this picture has received in advance because of the fist fight between Winchell and Al Jolson when Jolson accused Winchell of using his wife's past as a basis for the story, will undoubtedly bring the crowds in to see "Broadway Through a Keyhole." In addition, there are several well known names in the cast such as Russ Columbo, the crooner, Texas Guinan, and Blossom Seeley. But judged on its own entertainment merits it is an ordinary picture, in which a gangster is glorified, and in which the seamy side of Broadway is shown. The first thirty minutes are quite entertaining and provide much comedy by the nervousness of Gregory Ratoff, dance director in a night club. Also the night club scenes during this time, with the singing, dancing, and music should entertain most audiences. But when the story starts unfolding, and brings in the love affair of the heroine and the hero, it drags. Parts of it are terribly dull. The dialogue is trite, and the comedy (what there is of it) falls flat; the actions of the characters are not such as to arouse much sympathy for them. It will most likely be a success because of the reasons given, but it certainly falls far short from being high class entertainment.

In the development of the plot Paul Kelly, a racketeer, is shown, because of sentimental boyhood memories, befriending Constance Cummings and her sister and procuring a position for Constance in a night club as an entertainer. He falls madly in love with her and she, because of gratitude, is willing to marry him, although she is not in love with him. He buys the club and orders that Constance be starred; she is a success. When a rival racketeer starts a war against him, he sends Constance down to Florida with a friend. While there she meets Russ Columbo, crooner and leader of a jazz orchestra, and they fall in love with each other. When Kelly hears about the affair he orders Constance to return. She does so and again tells Kelly that she will marry him. Columbo follows her to New York and faces Kelly. He tells him how much he loves Constance and Kelly agrees to give her up. Constance and Columbo are married, and leave the church for a honeymoon. She is kidnapped by Kelly's rival gang and Columbo is beaten up. He rushes to Kelly, and Kelly goes in search of her and walks right into a trap. The rival gangster had tipped off the police that Kelly had kidnapped the girl and had a gun. When they get there they shoot Kelly. Constance is rescued.

The picture was directed by Lowell Sherman. In the cast are Abe Lyman and his orchestra, Hugh O'Connell, Frances Williams, Eddie Foy, Jr. and others.

Because of the gangster element it is unsuitable for children, adolescents or Sundays.



## YOUR RIGHTS IN THE FIRST NATIONAL PICTURES RELEASED AFTER SEPTEMBER FIFTEENTH

The Second Clause of the First National contract for the 1932-33 season reads as follows:

"(a) The Distributor hereby grants to the Exhibitor . . . to exhibit (during the period of eighteen months commencing with the date fixed or determined as herein provided for the exhibition . . . of the first photoplay deliverable hereunder, unless otherwise in the Schedule provided) each of such photoplays . . . for the number of days in the said Schedule provided. . . ."

In other words, First National licensed its pictures to you, if you bought them, and granted you the right to show them during the period of eighteen months from the day on which the first picture was play-dated, if no play-date for the first picture was specified in the Schedule. Accordingly, if the first picture happened to have been play-dated, as an example, September 15, 1932, First National granted you the right to show its thirty pictures from that date until eighteen months afterwards, that is, March 15, 1934.

But under Section (b) of the same paragraph, the following is provided for:

"In case any of such photoplays shall not be generally 'released' by the Distributor for distribution in the United States on or prior to September 15, 1933, such photoplays shall be excepted and excluded from this license, and all claims or causes of action in respect thereof are hereby expressly waived by the Exhibitor."

In other words, the exhibitor has no rights in all 1932-33 pictures that were released by First National after September 15, 1933. But by the same token the distributor has no right to force such pictures upon the exhibitor, for section (b) specifically states that all such pictures are "excepted and excluded" from the contract and the distributor cannot force you to accept pictures that are no longer in the contract. Accordingly, you can reject "I Loved A Woman," with Edward G. Robinson, released September 22, "Female," released November 4, and any other 1932-33 contract picture that might be released in the future. (I understand that Warner Bros. will release on the First National program one more Brown picture.)

"I Loved A Woman" is not setting the world afire, a fact which again proves that star values alone are not sufficient to attract the picture-going public—not even the fans of that star; story values are essential.

"Female": I saw this picture last week and all I can say is that it is one of the "rawest" pictures released for some time. And the harm it will do will be much greater than other pictures of this type on account of the fact that it has been produced so lavishly that it makes consorting with men attractive to young unmarried women. In the picture, the heroine, head of a concern that manufactures and sells automobiles, invites young men from her establishment now and then to spend the night with her, not for business purposes. (For more details read the review in this issue.) The book upon which this picture has been based was, according to the New York *Herald-Tribune* of August 25, declared obscene by the justices of the Jamaica Court of Special Sessions, Jamaica, Long Island, N. Y., finding a book-seller in that city guilty of a misdemeanor, because he handled the book in his circulating library. The decision was unanimous and Justice Candwell, who wrote the opinion, stated among other things the following:

"When I had finished [reading] I was compelled to find this just another dirty book. . . . It has little literary merit. It may be thrilling to the adolescent and entertaining to the senile and those seeking comfort . . . from their own indiscretions."

"Berg's Offense," states the *Herald Tribune*, "is in the category of misdemeanors, and any one else in the state who offers the book for sale henceforth will also be considered automatically guilty of misdemeanor. The decision can be reversed, however, by the Appellate Division of the Supreme Court to which James Henle, president of the Vanguard Press, announced that he intended to take the case. Meanwhile, Mr. Henle admitted that the Vanguard Press did not intend to continue to sell the book."

No doubt some of you would not want to show this picture; perhaps many of you cannot without incurring the ill will of many people in your community, particularly of the parents. Under the terms of the contract you can reject it. If you should reject it, First National may refuse to deliver to you all the other 1932-33 pictures that have been, or are about to be, released by First National after September 15.

Consequently you must figure out whether paying for "Female" and not showing it will compensate you for the Robinson and Brown pictures you expect to get.

## NO RELIEF FROM THE ERPI SERVICE CHARGES

The following is part of a statement issued by Electrical Research Products, Inc., on November 1, relative to the Stanley, Duo-Vac, and General Talking Pictures suit filed against ERPI:

"There is nothing new in these suits. The issues involved have been in litigation for many months. Stanley, Duo-Vac, and General Talking Pictures asked the Federal Court in Delaware for several injunctions against the enforcement of E. R. P. I.'s contracts with producers and theatres. The court refused to issue an injunction against the contract for servicing theatres and the collection of charges therefor. It granted the plea for an injunction against the enforcement of the clause providing for the furnishing of replacement parts and the clause thought to limit distribution of the pictures of producer licensees to theatres equipped with apparatus of Western Electric manufacture."

In other words, if you have a Western Electric installation and some of the parts need replacement, you need not buy these from ERPI; but you must continue to pay the service charge to the end of the contract, unless ERPI changes its mind in the meantime, a thing which seems unlikely.

I often wondered why an exhibitor who needs a new instrument, or who can replace his old instrument with a brand new one, should continue to deal with concerns that charge him for services for a long period of time. For instance, according to figures available, a new RCA Photophone instrument fitted with High Fidelity reproducers will cost an exhibitor as follows:

### For a 600 to 700 seat theatre

Initial payment . . . . .	\$100.00
Installation and Transportation . . . . .	300.00
Weekly payments for three years . . . . .	15.02

### For a 1200 to 1500 seat theatre

Initial payment . . . . .	\$100.00
Installation and transportation . . . . .	300.00
Weekly payments for three years . . . . .	24.10

Compare these figures with the sums of money you are now expending for other instruments and you will convince yourself that you can have a brand new instrument, of the latest model, for much smaller weekly installments lasting only for three years, after which time you will be the owner of the instrument.

Beginning with the issue of August 18, 1928, a series of articles dealing with the relative merits of the recording and reproducing systems used by Western Electric and RCA Photophone were printed in HARRISON'S REPORTS. The statements made in those articles are as true now as they were then. At that time I recommended to every exhibitor to buy an instrument fitted with cone reproducers instead of exponential horns. I pointed out also to the fact that the variable width recording system, employed by RCA Photophone, is far superior to the variable density system, employed by Western Electric. I gave as a reason that the Western Electric recording system does not record frequencies as high or as low as does the RCA Photophone system, pointing out to the fact that, the low notes of kettle-drums, of base violins, of guitars, of cymbals and of other instruments could not be heard. Last week I saw at the Strand a short presenting Rubinoff, the famous violinist, and his orchestra. The sound of the kettle-drums was hardly audible, and in the long shots it was entirely inaudible. The sound of "Broadway Through a Keyhole," now playing at the Rivoli, is terrible: the actors squeak instead of talking naturally.

## THE CODE

Since the Code has not yet been sent by the Administrator to the President for final action, there is nothing to report on it. All I can say is that the independent groups have left nothing undone to get as many concessions as they could possibly get.

Perhaps by the time this issue reaches you the Code will have been signed by the President.

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No. 46

## X-RAYING THE 1933-34 PRODUCTS—Article No. 3

### RKO

This company has sold forty-four pictures on the long contract and seven Specials, which it calls "The Lucky Seven," or a total of fifty-one.

**ANN VICKERS:** The book is very dirty but it was cleansed considerably before putting it into pictures. As a result the picture has turned out good. Reviewed on Page 158.

**LITTLE WOMEN:** Very good. Excellent for women. Reviewed on Page 178.

**OF HUMAN BONDAGE:** Poor sexy material.

**GREEN MANSIONS:** Material too thin for a Special.

**WILD CARGO:** Excellent picture material, revolving around animals.

**MORNING GLORY:** A fair picture but it draws because of Miss Hepburn. Her acting is great.

**ONE MAN'S JOURNEY:** Very good. Reviewed on Page 143.

**LONG LOST FATHER:** Material poor but two first-rate stars will appear in it—John Barrymore and Katherine Hepburn.

**BALLOON BUSTER:** Thrilling melodramatic material.

**MAN OF TWO WORLDS:** Material fair. But because of the fact that the hero is an Eskimo its value is doubtful, even though Francis Lederer will take the hero's part.

**A CHANCE AT HEAVEN:** A delightful picture. Reviewed on Page 162.

**MIDSHIPMAN JACK:** A good picture. Reviewed on Page 147.

**BEHOLD WE LIVE:** It has possibilities.

**THE APPLE TREE:** Beautiful material but tragic; it is also very thin.

**SUCCESS STORY:** Dramatic material of doubtful value.

**THE RED KNIGHT OF GERMANY:** A possible World-War thriller.

**RODNEY:** Material sweetly sentimental but thin. It revolves around an old Army horse and his caretaker. It will be produced with the co-operation of the U. S. Army. It would have made an excellent two-reel subject. RKO will have to build it up considerably before stretching it into feature length.

**RAFTER ROMANCE:** A pleasant program picture. Reviewed on Page 151.

**ACE OF ACES:** War stuff; very gruesome. It is unlikely that it will go over. Reviewed in this issue.

**AGGIE APPLEBY:** A fairly good program picture. Reviewed on Page 170.

### United Artists

The total number of pictures this company will release has not yet been definitely determined; but they will be anywhere between thirty and thirty-five.

**THE COUNT OF MONTE CRISTO:** Old-fashioned melodramatic material, done twice already: first by Selig, with Hobart Bosworth, and last by Fox, with John Gilbert. Its value for a picture to modern folk is doubtful.

**THE GREAT BARNUM:** Like all biographies, its value is doubtful.

**ADVICE TO LOVELORN:** This picture was to have been founded on the Nathanael West book "Miss Lonelyhearts"; but Darryl Zanuck has dropped the title of the book and has altered the material altogether so as to avoid incurring the ill-will of the newspaper folk, whose profession "Miss Lonelyhearts" discredits. What the altered material will be I cannot say, because I have not read the script. Mr. Zanuck has told me that he will make a highly entertaining picture out of it. You will have to take your chances.

**NANA:** Sam Goldwyn started production on this picture but after taking several shots he abandoned it. Whether he will resume production of it I cannot say. The Zola book upon which the picture was to have been founded is outstanding literature but the material is too sexy.

**SORRELL AND SON:** Deeply human material. But it was produced once before, in the silent days, by Herbert Brenon; it was released by the same company. Since H. B. Warner will appear also in this version many picture-goers may think it is a reissue. You will have to use your own judgment about it.

**THE MASQUERADER:** A dual role picture, with Ronald Colman, already produced; it was reviewed on Page 42. A good drama.

**BARBARY COAST:** The material seems to be unsuitable for a picture, for it is historical—the history of the San Francisco underworld known as Barbary Coast. It is too dirty, and there is no drama in it. A new story has to be written around it but it will not do the picture industry any good if it were put into pictures; the material is too vile.

**BITTER SWEET:** A sweet picture, produced in England. Reviewed on Page 139.

**GENTLEMEN, THE KING:** Good comedy material dealing with the King of a fictitious kingdom whom Chicago gangsters are hired to kill, but whom these gangsters befriend when they found out that the King was only a little boy.

**THE BOWERY:** The first two reels are very good; the remainder is slow. The picture is drawing because of Wallace Beery. Reviewed on Page 163.

**BROADWAY THROUGH A KEYHOLE:** A fair picture. Reviewed on Page 179.

**BLOOD MONEY:** It holds the interest and thrills, but it appeals to the bases emotions; Bancroft is presented as a bail bondsman, exercising great influence over underworld characters as well as over the police authorities. Not a good entertainment.

### Universal

Universal is selling thirty-six pictures.

**SATURDAY'S MILLIONS:** A fairly entertaining foot-ball melodrama. Reviewed on Page 166.

**LOVE, HONOR AND OH BABY** ("Oh, Promise Me!"): A fair comedy. Reviewed on Page 175.

**S O S ICEBERG:** This picture was produced in the arctic. It is thrilling but does not seem to appeal to the popular fancy.

**KING FOR A NIGHT:** Gruesome and unpleasant.

**ONLY YESTERDAY:** A most deeply appealing drama.

**THE INVISIBLE MAN:** Good. This picture was sold in last year's contracts. But according to the Twelfth Clause, a contract holder had to notify Universal in writing on or before August 31 if he wanted it; if he has not so notified Universal then he has lost his rights to it. All those who have sent such a notice will receive it.

**COUNSELOR-AT-LAW:** A powerfully dramatic play. The picture will be produced with John Barrymore in the leading part.

**BY CANDLELIGHT:** High comedy, suitable mostly for the classes.

**THE MAN WHO RECLAIMED HIS HEAD:** Horror material, in which the hero cuts off the head of the man he had helped make famous. It is hopeless as it stands but Universal may alter it radically. The play flopped in this city.

**IMITATION OF LIFE:** Fair possibilities.

(Continued on last page)



### **"Only Yesterday" with Margaret Sullavan, John Boles and Billie Burke**

(Universal, Nov. 6; running time, 105 min.)

A deeply moving human interest drama. The interest is held throughout because of the sympathy one feels for the heroine, who loved the hero intensely, in spite of the fact that he had failed her. The character of the heroine is made more sympathetic because of the restrained performance by Margaret Sullavan, a newcomer to the screen. Several of the situations are heartrending, and will bring tears to the eyes of most spectators. One of such situations is where the hero fails to recognize the heroine; she weepingly bemoans the fact that the father of her child did not even recognize her. But the most pathetic scene is the one where the heroine is shown about to die and taking farewell of her child, a boy about twelve years old. The acting of this young boy in both the comedy and dramatic scenes is so good that one's heart goes out to him. The comedy is good, particularly in the scenes between Billie Burke and Reginald Denny, and also in the situation where the young boy teases his mother about a man who wanted to marry her:—

John Boles, married to Benita Hume, is ruined when the stock market crashes. His wife is unfaithful and he feels there is no reason to live; he is about to kill himself when he notices a letter on his desk and starts to read it. The letter is from Margaret Sullavan, and as he reads it there is brought back to him a night down south just before he left for France during the war. That night he had met Margaret who had adored him for years without his knowing it. She gives herself to him and the next day he leaves for France without even seeing her. When she finds that she is going to have a baby she goes to New York to live with Billie Burke, her aunt, a generous and loving person. Her baby boy is born. During the armistice parade she sees the hero and rushes up to him, but he does not even recognize her. This hardens her, although she still loves him. She goes into business and is very successful; her greatest joy is her son. Ten years pass—it is New Year's eve and she is at a party at a hotel. There she again sees Boles and he is attracted to her. They leave the place together and she spends the night with him, without revealing to him who she is. Two years more pass and she is dying after a heart attack. She writes the letter to Boles to tell him all, begging him to look after their son, and when the letter is finished she dies. He finishes the letter which makes him realize what a cad he had been and what a great love he had missed. He rushes to her home only to find that she had died. But his misery is eased when he sees his son and comforts him, telling him he is his father and that they will be together.

The plot was suggested by the book by Frederick L. Allen. It was directed with skill by John M. Stahl. In the cast are Jimmy Butler, Edna May Oliver, George Meeker, and others.

Not for children, adolescents, or Sundays.

### **"The Prizefighter and the Lady" with Max Baer, Myrna Loy and Walter Huston**

(MGM, Nov. 10; running time, 101 min.)

Very good entertainment. Max Baer, the pugilist, emerges as a likeable screen player with an engaging personality and fistic capabilities that will be admired by both men and women. It is his personality, coupled with the excellent performances by Myrna Loy and Walter Huston, that give "The Prizefighter and the Lady" its entertainment values. The story follows the routine one of a fighter, who, when he goes to the top, becomes egotistic and has affairs with other women, to the discomfort and misery of his own wife. However, in this case, one feels that he does these things because he was just a big boy whose head had been turned by too much attention. It has good comedy situations, the love affair is romantic, and it holds the spectator in suspense throughout. To top all this off there is a real treat in store for fight fans, for in the closing scenes Baer meets Carnera in what is supposed to be a bout for the world championship. The fighting is fast and furious and is fought by the two men themselves throughout; it is exciting and novel, too, for it is refereed by Jack Dempsey. The scenes where famous old-time boxers are introduced to the spectators give the picture unusual realism:—

Walter Huston, an old-time fight manager, takes Max Baer under his wing; he sees possibilities to make a great fighter out of Baer. While doing road work Baer is almost hit by a car in which Myrna Loy was driving. Her car hits a tree, turns over and Baer rushes to her rescue. They become friends and he falls madly in love with her. He knows

she is the sweetheart of Otto Kruger, a notorious gangster, but that does not stop him from going to the night club to see her perform. Myrna falls in love with him, too, and they marry. Kruger is heartbroken and warns Baer that if he does anything to hurt Myrna he will kill him. Baer becomes a sensational fighter and Myrna is completely happy until she finds out that he was having affairs with other women. Just before the title bout she finds him in a compromising position and leaves him. She goes back to Kruger and night club work. Kruger takes Myrna to the fight and by her nervousness he knows that she still loves Baer. Baer is being beaten badly until Huston, whom Baer had thrown out, comes to his rescue and gives him encouraging advice. The fight is declared a draw. Kruger brings about a reconciliation between Myrna and Baer.

The plot was adapted from a story by Frances Marion. It was directed by W. S. Van Dyke. In the cast are Vince Barnett, Robert McWade and Muriel Evans.

Even though the different affairs have been treated in an inoffensive manner, yet an exhibitor will have to use his own judgment about showing it to children, adolescents, or on Sundays.

### **"College Coach" with Pat O'Brien and Ann Dvorak**

(Warner Bros., Nov. 4; running time, 74 min.)

Just another college football story; it should disillusion anybody who has any ideals about the spirit of the game, for it shows that football is nothing more than a business proposition, and that most of the players are morons, and that they obtain their degrees just because of their value to the team. As long as it sticks to this idea, it is interesting, for it shows how Pat O'Brien, the hard-boiled coach, builds up a winning team thereby enriching the college. But afterwards it fails to hold the interest, for none of the characters does anything worth-while. The closing scenes are rather ridiculous for they show how Dick Powell and Lyle Talbot, after having been off the team for some time, go into the final game and with only four minutes to play win the game for their college. Added to this is the unpleasantness of seeing Ann Dvorak carry on an affair with Lyle Talbot just because her husband had to neglect her because of his work.

In the development of the plot Pat O'Brien, the football coach, is forced to neglect his wife, Ann Dvorak, during the training and playing period. She goes out with Lyle Talbot, a stupid and vain player on the team, and when O'Brien sees her with Talbot, he orders her to leave his home and throws Talbot off the team. Dick Powell, another member of the team, had quit because he felt that there was too much business involved in football. In the final and most important game of the season O'Brien's team is losing. Powell and Talbot rush into the game the last four minutes of play and win the game and O'Brien's thanks. O'Brien is reconciled with his wife when he finds out that she had never stopped loving him.

The plot was adapted from a story by Niven Busch and Manuel Seff. It was directed by William A. Wellman. Others in the cast are Arthur Byron, Hugh Herbert, Arthur Hohl and Nat Pendleton.

Since it is never established whether Ann Dvorak was having an affair with Talbot, it is suitable for children, adolescents, and Sundays.

### **"The Way to Love" with Maurice Chevalier**

(Paramount, Oct. 20; running time, 83 min.)

Fairly good. It may prove disappointing to audiences who are by this time accustomed to seeing Chevalier in sophisticated and lavish productions. The story is thin, and the Parisian background similar to that of his first picture. There is nothing startling in the presentation, and it lacks the usual gaiety that goes with Chevalier's pictures. Edward Everett Horton helps out considerably with his brand of comedy, and one situation that will arouse laughter is that in which Chevalier and Horton get drunk and afterwards go around town cutting off men's neckties. The love affair between Chevalier and Ann Dvorak is fairly romantic and pleasant. There is some suspense throughout caused by the heroine's desire to escape from her villainous guardian.

The plot was adapted from a story by Gene Fowler and Benjamin Glazer. It was directed by Norman Taurog. In the cast are Arthur Pierson, Minna Gombell, Blanche Frederici, Nydia Westman, George Rigas, Douglas Dumbrille, and others.

There are a few suggestive remarks; otherwise suitable for children, adolescents and for Sundays.



### "Tillie and Gus" with W. C. Fields and Alison Skipworth

(Paramount, Oct. 13; running time, 57 min.)

A fairly amusing comedy of program grade. The best part of it is in the closing scenes where W. C. Fields, in an old ferry boat that was coming apart, races the villain who had a new ferry boat, and by using all sort of tricks, including fireworks for fuel, is able to win the race. When the fireworks were put into the furnace the sparks flew up through the smokestack and landed in the other ferry, causing all the occupants to jump into the river. There is some suspense during this race, particularly when Baby LeRoy falls into the river and Alison Skipworth and Fields jump in after him.

There is some human interest in the story because of the affection Skipworth and Fields feel for their niece, her husband and the baby. This affection is returned by the niece who thinks her uncle and aunt are missionaries. What she does not know is that they are professional gamblers and they had come to visit her hoping to share in the estate her father had left.

The closing scenes in which Fields forces the villain to admit that he had robbed the niece of her rightful share of her father's property will be greeted with laughs, because of the manner in which Fields forces this confession.

The plot has been adapted from a story by Rupert Hughes. It was directed by Francis Martin. In the cast are Jacqueline Wells, Clifford Jones, Clarence Wilson, George Barbier, Edgar Kennedy, and others.

Suitable for children, adolescents and Sundays.

### "Ace of Aces" with Richard Dix

(RKO, Oct. 20; running time, 76 min.)

An exceedingly depressing and at times unpleasant war drama. The theme offers nothing new or startling, and as in other war pictures, shows the horror, the filth, and the suffering which is a part of war. At first the hero is presented as being an idealist, not wanting to fight or kill his brother men. The depressing part is where he changes from such a person into a blood-thirsty war ace, seeking to kill more and more so as to establish a record. He becomes cynical, hard-boiled, and even callous when it comes to the feelings of the heroine, demanding that she give herself to him if she wanted him to stay with her. The fact that there is some exciting stunt-flying does not help the picture much because stunts like these or even better have already been seen.

The hero, a sculptor, is engaged to the heroine. When war is declared he refuses to give up his ideals about not killing other men and will not join the army. However, when the heroine calls him a coward, he joins up and is placed with the aviation corps. The first time he kills a man it is torture to him, but he soon gets over that and finds a thrill in killing. He invents new means of trapping his enemies and establishes a record for himself. On a leave in Paris he meets the heroine, who had joined up as a nurse. He insists that she give herself to him. When he returns to duty he is wounded and nursed back by the heroine. He changes his views about killing and accepts an offer to be transferred to the training school. He goes back to his quarters for his belonging; but he is goaded on by two of his comrades who tell him that another boy is establishing a better record for killings. The hero suddenly gets the desire to go up again. But once he comes in contact with the enemy he is haunted by the memory of one of his dying victims and cannot shoot. Instead he is wounded. Upon his return to America he marries the heroine, and tries to forget all about the war.

The plot was adapted from a story by John Monk Saunders. It was directed by J. Walter Ruben. In the cast are Elizabeth Allan, Ralph Bellamy, Theodore Newton, Frank Conroy, and others.

Children will not understand the situation about the heroine staying with the hero; for adolescents, no; for Sundays, no.

### "My Lips Betray" with Lilian Harvey and John Boles

(Fox, Nov. 10; running time, 79 min.)

Not even the lavish production that Fox has given to "My Lips Betray" can save it from being dull entertainment. It is a mythical kingdom story and it is so thin and slow-moving that it fails to hold the interest. The director has seen fit to have Lilian Harvey ooze "cuteness" all over the place until, after acting that way for a while, she and the

picture become tiresome. There is some suspense in that Lilian basks in the glory of being the King's favorite when she does not even know him. Some comedy is provided by her meeting with the king, when she does not know his identity, and the romance that follows is amusing. Music sung both by Lilian Harvey and John Boles is interpolated and made part of the action. Throughout there is a great deal of shouting by crowds of loyal subjects who yell at the slightest provocation; it is annoying and will give most spectators a headache.

When Lilian Harvey is discharged from a cafe where she had been engaged as a singer, the king's chauffeur, one of the patrons, feels sorry for her and takes her home in the king's car. This starts a wild rumor—Lilian is the king's favorite. The king is disturbed when he hears this—he was having enough trouble trying to balance the country's budget, compose music, and fight off his mother's efforts to marry him off to a wealthy princess he did not love. Lilian is re-engaged at the cafe where she is a tremendous success because of her supposed intimacy with the king. The king is curious about her and goes to the cafe where he poses as a soldier. He meets Lilian and they fall in love with each other. He summons her to the court; she is afraid she might be court-martialed. She is shocked to find that the captain is none other than the king. His mother strenuously objects to the king's alliance with an entertainer and tells him his affair had so enraged the princess that she had run off with a gigolo and married him. The king receives good news—oil had been found. This means the budget can be balanced and he is free to marry Lilian.

The plot was adapted from a story by Attila Orbok. It was directed by John Blystone. In the cast are El Brendel, Irene Browne, Maude Eburne, Henry Stephenson and others.

There are a few suggestive remarks; so you have to use your own judgment about showing it to children, adolescents and on Sundays.

### "The Mad Game" with Spencer Tracy

(Fox, Oct. 27; running time, 73 min.)

Despite the unpleasantness and demoralizing effect of the theme of "The Mad Game," which deals mainly with the kidnapping racket, this is a fast-moving and at times thrilling melodrama; it holds the attention to the very end. Human interest is aroused by the plight of the victims of the kidnapping ring, particularly by that of a young couple who had been abducted on their wedding day. The hero, although leader of a beer racket, is a sympathetic character, and although the motive for his cleaning up the gang was that of revenge, he gains respect by his courage. The fact that he had been double-crossed by people in whom he had faith adds to the sympathy one feels for him. The closing scenes in which the gang is rounded up and the couple saved are thrilling and will hold the audience in tense suspense:—

The hero is the wealthy leader of a bootlegging gang. He is up for indictment in the Federal Court on a charge of having evaded paying his income tax. His personal lawyer tells him he had fixed everything for his release but instead this lawyer double-crosses him, taking all his money and his girl, too, and the hero is sent to prison for five years. His former henchman, a double-crosser, too, takes charge of the gang and the first thing he does is to kill the lawyer and the girl because they knew too much. When beer is legalized this henchman starts the kidnapping racket but nothing can be pinned on him. The hero, knowing how the gang operated and wanting to avenge himself, begs for a chance to be turned loose. He does not want to be recognized and a plastic surgeon is called in; he changes the hero's face so that he could not be known. The hero starts out by joining the henchman's gang, his purpose being to find out where they had hidden the son and daughter-in-law of a Federal Judge who was prosecuting kidnappers. He is recognized by a young girl, a newspaper reporter, who had always been fond of him. She works with him and goes with him to the hideout. As soon as they arrive there she telephones for the police. In the meantime, they release the girl and boy and hide them in the cellar when they hear the gang arrive. The hero gets the henchman into the cell and kills him. But he, too, is shot and eventually dies. The police arrive in time to round up the gang and take the victims home. The girl reporter mourns the death of the hero.

The plot was adapted from a story by William Conselman. It was directed by Irving Cummings. In the cast are Claire Trevor, Ralph Morgan, Howard Lally, J. Carroll Nash, John Miljan, Matt McHugh and others.

Not for children, adolescents, or Sundays.



**THE GOOD RED BRICKS:** This book was announced by Universal last summer but it will not be produced. The material is not so hot.

**GLAMOUR:** This material will not be produced. It is too thin for a feature picture.

**MOONLIGHT AND PRETZELS:** Very good; it is a musical comedy. Reviewed on Page 134.

**THE LEFT BANK:** Production abandoned.

**RIGADOON:** Production of it has been abandoned. The material is very good.

### Warner Bros.

Warner Bros. has sold thirty pictures.

**GOLD-DIGGERS OF 1933:** Good musical comedy. Reviewed on Page 87.

**FOOTLIGHT PARADE:** Glamorous musical comedy. Reviewed on Page 158.

**AS THE EARTH TURNS:** Poor material.

**COLLEGE COACH:** Fair. Reviewed in this issue.

**THE KENNEL MURDER CASE:** A good murder mystery melodrama.

**A MODERN HERO:** Hopeless material.

**EVER IN MY HEART:** An emotional drama. Reviewed on Page 167.

This concludes this series of articles.

If you desire to have more details on the unmade pictures that are treated in these articles so as to be equipped with greater details when you carry on negotiations with film salesmen for their product, you may subscribe to the Forecaster. The season's forecasts are now complete.

### A POINT THE PRODUCERS MISS

According to Mr. Terry Ramsaye, editor of the *Motion Picture Herald*, Emanuel Cohen, Paramount production chief, said: "The most serious problem of the motion picture industry is the recapture of the interest of youth."

Commenting on this statement in the November 4 issue of that paper, Mr. Martin Quigley said the following:

"We were impressed with Mr. Cohen's statement as reported by Mr. Ramsaye, particularly because of our confidence in the scrupulous accuracy of the reporter. Otherwise we would have been stopped with wonderment in encountering this quotation just after having observed the effort to recapture the interest of youth which is now visible on the screens of the land under the title, 'I'm No Angel.'"

"No one was quite sure just what the quality was in 'She Done Him Wrong' which gave the production such popularity with the general public. So in Hollywood they apparently decided it was something salacious. The next step, then, was to make sure that there would be sufficient salaciousness in the next West picture. There is; enough to cause a lot more people to wonder just how far pictures are going to go.

"The problem of recapturing the interest of youth is given precise reverse treatment in the new West picture.

"Miss West as a motion picture attraction sky-rocketed into precipitous popularity with her first starring picture. The gross emphasis in her latest picture on those things in the West personality which need no emphasis suggests the possibility that 'going West' may very soon have the same meaning for exhibitors which it had for the boys on the Western front."

And wait until Manny Cohen produces "Sailor Beware." And if he by chance should happen to put Mae West in it, then the entire screen may, under the influence of the Paramount experiment with such other plays as "The Great Gatsby," and with such books as "Sanctuary," become thoroughly "Westernized."

The trouble with most producers is that they fail to distinguish between one person telling a dirty joke and the same joke being told by another person. The first person makes you hold your sides with laughter; the second person insults you. But even the first joke teller may become insulting if he should happen to tell too many dirty jokes. Mae West "got away" with "She Done Him Wrong." She is not so successful with "I'm No Angel" from the entertainment point of view, although the box office is swelling with dollar bills. But a few more "jokes" of the same type and Mae West will be reduced to the popularity of Theda Bara. The tragedy of it will be, however, the fact that, before that time comes, the motion picture industry as a whole will have paid dearly for the "West" dirty jokes.

### ABOUT UNIVERSAL'S "THE INVISIBLE MAN"

Universal has taken "The Invisible Man" from last season's contract and is offering it for sale in the 1933-34 group.

I have been asked by exhibitors who bought this picture last season what their rights in the matter are.

The First Clause of the contract stipulates that Universal leased its pictures to be shown within twelve months from the date when the first picture was play-dated, or from the date of the earliest play-dated picture in the schedule.

But the Twelfth Clause reads as follows: "In case any of the motion pictures covered hereunder (except pictures which shall be 'Roadshown'), shall not be generally released by Universal for distribution in the United States during the period beginning September 1st, 1932, and ending August 31st, 1933, such motion pictures shall be excepted and excluded from this license, unless the Exhibitor shall give written notice to Universal not later than September 30th, 1933, that the Exhibitor elects to exhibit all of such motion pictures hereunder. . . ." In other words, you could have compelled Universal to deliver "The Invisible Man" if you had sent a written notice to it on or prior to August 31, 1933. If you failed to send such a notice then you have lost all rights to this picture.

The failure of an exhibitor to send a notice in accordance with the terms of the contract is, of course, only a technical violation. Universal did not suffer any damage thereby and were it to deliver the picture it would be doing only what is just and fair. The "deadline" fell on a day when every one of us was busy with the Code and we failed to be watchful of such details.

It is possible that such cases as this one will have to be arbitrated when the Code is signed by the President of the United States since the contract specified in the Code as the official contract contains an arbitration provision, and arbitration as a rule judges not so much by what is or is not contained in the contract but by whether an injustice has been committed or not.

Up to within the time Jim Grainger became general sales manager, this paper was always able to obtain redress from Universal for exhibitors who either felt that an injustice had been done to them, or wanted some relief. I may say, in fact, that, in my career as a publisher of *Harrison's Reports*, I do not remember a single instance where Universal refused to heed a recommendation on behalf of an exhibitor for relief. But things were different then. Jim Grainger is the general sales manager now. And my experience with him while he was general sales manager of Fox has been that he would rather see you, I believe, broke than give you an adjustment for one dollar.

In warning you of this it is my desire not to harm Universal but to protect your interests. If you are about to close a contract with Universal for its pictures, see that every dot is over every "i", and every "t" is crossed. The fact that your local Universal manager and you have been trusting each other and taking each other's word all along should not induce you to overlook taking the necessary precautions. Remember that Grainger will, I believe, repudiate any oral understanding you may have if he does not like it. Be fair to Universal, but be fair also to yourself. And in dealing with an organization of which a man like J. R. Grainger is general sales manager, the only way to be fair to yourself is to have everything in writing.

### WHAT PRICE STUPIDITY?

The issue of *Motion Picture Herald* that contained the comment on Emanuel Cohen's statement about "recapturing the youth" contained another gem under the caption, "FOR THE KIDDIES." It reads as follows:

"Since so many more of Chicago's youngsters wanted to see 'Three Little Pigs,' Balaban & Katz thoughtfully brought it back for the current week at the Chicago Theatre—on the same bill with a triumphant return engagement of Miss Sally Rand and her fan. What could be neater and sweeter for the happy little children of Chicago!"

And by the way, hasn't "Three Little Pigs" shown up the motion picture industry! It took a little cartoon to prove to the industry that the people of the United States like clean and wholesome entertainment. "Three Little Pigs" has played to more return engagements than any feature picture, or any other kind of picture, for that matter, in the history of the motion picture. Wouldn't you think that, with such a proof, the producers would get on to themselves? But will they?



## HARRISON'S REPORTS

Vol. XV

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To the Last Man—Paramount (68 min.).....	175	
Walls of Gold—Fox (73 min.).....	170	
Wandering Jew, The—Herman Ross (70 min.).....	175	
World Changes, The—First Nat'l. (91½ min.).....	174	

## RELEASE SCHEDULES FOR FEATURES

## Columbia Features

(729 Seventh Ave., New York, N. Y.)

3022 The Wrecker—Holt-Tobin .....	July 10
3020 Brief Moment—Carole Lombard.....	Aug. 19
3023 My Woman—Twelvevrees-Ford-Jory .....	Oct. 5
3024 Man of Steel—Jack Holt.....	Oct. 28
3025 Fury of the Jungle—Peggy Shannon.....	Oct. 30

(End of 1932-33 Season)

## Beginning of 1933-34 Season

4001 Lady For a Day—Robson-William.....	Sept. 13
4201 Thrill Hunter—Buck Jones .....	Sept. 30

## First National Features

(321 West 44th St., New York, N. Y.)

726 She Had to Say Yes—Young-Talbot.....	July 15
723 Goodbye Again—Blondell-Williams.....	Sept. 9
705 I Loved a Woman—Robinson-Francis.....	Sept. 23
706 Female—Chatterton-Brent-Donnelly (re)....	Nov. 11
729 Son of a Sailor—Joe E. Brown.....	Dec. 23

## Beginning of 1933-34 Season

760 Bureau of Missing Persons—Davis.....	Sept. 16
775 Wild Boys of the Road—Darro-Hudson .....	Oct. 7
758 Havana Widows—Blondell-Farrell .....	Nov. 18
753 The World Changes—Muni-MacMahon-Astor ..	Nov. 25

## Fox Features

(444 West 56th St., New York, N. Y.)

## Beginning of 1933-34 Season

403 Pilgrimage—Crosman-Angel-Nixon .....	Aug. 18
402 The Last Trail—Geo. O'Brien (60 min.)....	Aug. 25
401 Paddy, the Next Best Thing—Gaynor.....	Sept. 1
404 The Good Companions—Jessie Matthews....	Sept. 8
405 Charlie Chan's Greatest Case—Oland.....	Sept. 15
406 Dr. Bull—Will Rogers .....	Sept. 22
407 My Weakness—Harvey-Ayres-Butterworth....	Sept. 29
408 The Power and the Glory—Tracy-Moore....	Oct. 6
409 Walls of Gold—Eilers-Foster .....	Oct. 13
410 The Worst Woman in Paris—Hume-Menjou....	Oct. 20
414 The Mad Game—Tracy-Trevor-Morgan .....	Oct. 27
412 Berkeley Square—Howard-Angel .....	Nov. 3
413 My Lips Betray—Harvey-Boles-Brendel....	Nov. 10
417 Olsen's Big Moment—Brendel-Catlett .....	Nov. 17
415 Jimmy and Sally—James Dunn-C. Trevor....	Nov. 24
416 Hoop-La—Bow-Foster-Mundin .....	Nov. 30
411 Smoky—Jory-Bentley (reset) .....	Dec. 8
418 I Was a Spy—Marshall-Veidt-Carroll .....	Dec. 15
419 Mr. Skitch—Rogers-Pitts-Desmond .....	Dec. 22
420 As Husbands Go—Baxter-Vinson-Oland .....	Dec. 29

## Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

-344 Broadway to Hollywood—Brady-Morgan....	Sept. 15
-347 Solitaire Man—Marshall-Boland-Robson .....	Sept. 22
-317 Christopher Bean—Dressler-Barrymore.....	Nov. 17
-313 Dancing Lady—Crawford-Gable-Tone .....	Nov. 24
-333 The Cat and the Fiddle—Novarro.....	Dec. 8

## Beginning of 1933-34 Season

-404 Penthouse—Baxter-Loy-Butterworth .....	Sept. 8
-440 Stage Mother—Brady-O'Sullivan-Tone .....	Sept. 29
-435 Night Flight—All Star Cast .....	Oct. 6
-416 Bombshell—Harlow-Tracy-Morgan .....	Oct. 13
-425 Meet the Baron—Pearl-Durante-Healy .....	Oct. 20
-441 Day of Reckoning—Dix-Evans-Tearle .....	Oct. 27
-430 The Chief—Ed Wynn-Chic Sales (reset)....	Nov. 3
-442 The Prizefighter and the Lady—Max Baer-Myrna Loy .....	Nov. 10
-402 The Vinegar Tree—Barrymore-Brady.....	Dec. 1

## Monogram Features

(1270 Sixth Ave., New York, N. Y.)

Ranger's Code—Bob Steele .....	Sept. 5
He Couldn't Take It (The Process Server).....	Dec. 11
The Ape .....	Feb. 5

(End of 1932-33 Season)

## Beginning of 1933-34 Season

2011 The Avenger—Forbes-Ames .....	July 30
2031 Sensation Hunters—Foster-Judge .....	Sept. 10
2002 Sweetheart of Sigma Chi—Carlisle .....	Oct. 15
2021 Broken Dreams—Sleeper-Scott .....	Nov. 1
2025 16 Fathoms Deep—Sally O'Neill .....	Nov. 27



## Paramount Features

(Paramount Bldg., New York, N. Y.)

- 3303 The Big Executive—Cortez-Bennett ..... Aug. 18  
3304 This Day and Age—Bickford-Cromwell ..... Aug. 25  
3306 One Sunday Afternoon—Cooper-Wray ..... Sept. 1  
3307 Torch Singer—Colbert-Cortez-Manners ..... Sept. 8  
3305 To the Last Man—Scott-LaRue (72 min.) ..... Sept. 15  
3309 Golden Harvest—Arlen-Morris (71½ min.) ..... Sept. 22  
3308 Too Much Harmony—Crosby-Oakie-Allen ..... Sept. 29  
3310 I'm No Angel—West-Grant-Ratoff ..... Oct. 6  
3311 Tillie and Gus—Fields-Skipworth ..... Oct. 13  
3312 The Way to Love—Chevalier-Dvorak ..... Oct. 20  
3313 Take a Chance—Rogers-Dunn-Knight ..... Oct. 27  
3314 Hell and High Water (Cap'n Jericho)—  
Arlen-Allen-Standing ..... Oct. 27  
3315 White Woman—Laughton-Lombard (68 m.) ..... Nov. 3  
3316 Cradle Song—Wieck-Venable-Taylor ..... Nov. 17  
3317 Duck Soup—Four Marx Bros. (68 min.) ..... Nov. 17  
3318 Sitting Pretty—Oakie-Haley-Rogers ..... Nov. 24  
3319 Thundering Herd—Scott-Carey-Beery ..... Nov. 24  
3320 Lone Cowboy—Cooper-Richards-Lee ..... Dec. 1  
3321 Girl Without a Room—Farrell-Churchill ..... Dec. 8  
3322 Eight Girls in a Boat—Dorothy Wilson ..... Dec. 15  
3323 Alice in Wonderland—Henry-Cooper ..... Dec. 22  
3324 All of Me—March-Hopkins-Raft ..... Dec. 29

## RKO Features

(1270 Sixth Ave., New York, N. Y.)

- 31112 Melody Cruise (Whoopee Cruise)—Ruggles-  
Harris ..... June 23  
31127 Cross Fires—Keene-Furness (55½ min.) ..... June 30  
31159 Flying Devils (Sweet and Kennedy comedy)—  
Bellamy-Cabot-Judge ..... June 30  
31107 Bed of Roses—Bennett-McCrea ..... July 14  
31145 Double Harness—Harding-Powell ..... July 21  
31134 Headline Shooter (Joel McCrea prod.)—  
Gargan-Dee ..... July 28  
31132 Before Dawn (Treasure Picture)—Erwin-  
Oland-Wilson ..... Aug. 4  
31140 No Marriage Ties—Richard Dix ..... Aug. 11  
31115 Blind Adventure (Miracle Night)—  
Armstrong-Mack ..... Aug. 18  
31116 The Deluge (Prodigal Daughter)—Shannon-  
Blackmer-Wilson ..... Sept. 15  
31153 Flaming Gold (Bill Boyd No. 4) ..... Sept. 29  
31160 Goodbye Love (Life Begins Tomorrow)—  
Ruggles-Teasdale ..... Nov. 10  
31108 After Tonight—Bennett-Young ..... Nov. 10

## Beginning of 1933-34 Season

- 4109 Morning Glory—Hepburn-Fairbanks, Jr. .... Aug. 18  
4129 Rafter Romance—Foster-Rogers ..... Sept. 1  
4113 One Man's Journey—Barrymore-Robson ..... Sept. 8  
4127 Midshipman Jack—Cabot-Furness ..... Sept. 22  
4102 Ann Vickers—Ann Harding ..... Oct. 13  
4120 Ace of Aces—Richard Dix ..... Oct. 20  
4126 Chance at Heaven—Rogers-McCrea ..... Oct. 27  
4132 Aggie Appleby—Gibson-Farrell ..... Nov. 3  
4119 Right to Romance—Harding-Young ..... Nov. 17  
4107 Little Women—Hepburn-Dee-Lukas ..... Nov. 24

## United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Bitter Sweet—All English Cast ..... Sept. 22  
The Bowery—Beery-Raft-Cooper-Wray ..... Sept. 29  
Broadway Through a Keyhole—Cummings-Columbo-  
Kelly ..... Oct. 13  
Blood Money—George Bancroft-Frances Dee ..... Nov. 17

## Universal Features

(730 Fifth Ave., New York, N. Y.)

- A5012 Her First Mate (Zeppelin)—Summerville-  
Pitts ..... Aug. 10  
A5083 The Trail Drive—Ken Maynard ..... Sept. 4  
A5025 Ladies Must Love (Black Pearls) ..... Sept. 25  
("Invisible Man" listed in the last Index as a 1932-33  
release, number A5001, has been transferred to the 1933-34  
releases, under a different number and is now listed as  
snch.)

## Beginning of 1933-34 Season

- A7011 Saturday's Millions—Young-Hyams ..... Oct. 9  
A7033 Love, Honor and Oh Baby (Oh Promise Me)—  
Summerville-Pitts ..... Oct. 16  
A7026 SOS Iceberg—Rod LaRocque ..... Oct. 23

- A7071 Strawberry Roane—Maynard (61 min.) ..... Oct. 26  
A7028 King for a Night—Morris-Twelveetrees ..... Oct. 30  
A7005 Only Yesterday—Boles-Sullivan ..... Nov. 6  
A7008 Invisible Man—Rains-Stuart (reset) ..... Nov. 13  
A7030 Horse Play—Summerville-Devine ..... Nov. 27  
A7006 Counsellor at Law—Barrymore-Daniels ..... Dec. 4  
A7020 By Candlelight—Landi-Lukas ..... Dec. 11  
A7021 Myrt and Marge (65 min.) ..... Dec. 18  
A7072 Riders of Justice—Ken Maynard ..... Dec. 18  
A7022 Bombay Mail—Edmund Lowe ..... Dec. 25

## Warner Bros. Features

(321 West 44th St., New York, N. Y.)

- 405 Captured—Howard-Fairbanks, Jr.-Lukas ..... Aug. 19  
427 Finger Man—Cagney-Clark-Fenton ..... Dec. 9

(End of 1932-33 Season)

## Beginning of 1933-34 Season

- 450 Gold Diggers of 1933—William-Blondell ..... Sept. 2  
451 Footlight Parade—Cagney-Blondell ..... Oct. 21  
457 Ever In My Heart—Stanwyck-Kruger ..... Oct. 28  
468 Kennel Murder Case—Powell-Astor ..... Oct. 28  
456 The College Coach (The Football Coach)—  
O'Brien-Dvorak-Powell ..... Nov. 4  
473 From Headquarters—Brent-Lindsay ..... Dec. 2  
269 Disraeli—Arliss (reissue) ..... Dec. 16  
469 House on 56th Street—Francis-Cortez (re) ..... Dec. 23

## SHORT SUBJECT RELEASE SCHEDULE

### Columbia—One Reel

- 4501 Out of the Ether—K. Kat (cart.) (6½ m.) ..... Sept. 1  
4601 Movie Struck—Scrappys (cart.) (6 min.) ..... Sept. 1  
4301 March of the Years No. 1—Old time novelty  
(11½ min.) ..... Sept. 13  
4602 Sandman Tales—Scrappys (cart.) (6 min.) ..... Sept. 20  
4502 Whack's Museum—K. Kat (cart.) (6 min.) ..... Sept. 22  
4802 What the Scotch Started—World of Sport  
(11 min.) ..... Sept. 27  
4901 Laughing with Medbury in Morocco (9½ m.) ..... Oct. 1  
4302 March of the Years No. 2 (11 min.) ..... Oct. 6  
4503 Krazy Spooks—K. Kat (cart.) (6½ m.) ..... Oct. 13  
4303 March of the Years No. 3 (11 min.) ..... Oct. 20  
4902 Laughing with Medbury in the Orient—  
(10½ min.) ..... Oct. 25  
4401 Death Attends a Party—Minute mystery  
(9½ min.) ..... Oct. 26  
4304 March of the Years No. 4 ..... Nov. 3  
4402 Fast Fingers—Minute mystery (10½ m.) ..... Nov. 3  
4504 Stage Krazy—K. Kat (cart.) (6 min.) ..... Nov. 3  
4803 We Want a Touchdown—World of Sport  
(9½ min.) ..... Nov. 3  
4603 Hollywood Babies—Scrappys (cart.)  
(6½ min.) ..... Nov. 10

### Columbia—Two Reels

#### Beginning of 1933-34 Season

- 4101 Mickey's Touchdown—M. McGuire—  
(19½ min.) ..... Sept. 20  
4107 Hot Daze—Smith and Dale (19 min.) ..... Oct. 1  
4102 Mickey's Tent Show—M. McGuire (20 m.) ..... Oct. 27  
4119 Roamin' Through the Roses—musical  
(18½ min.) ..... Nov. 2

### Fox—One Reel

(The titles that carry an "E" after the production number are Educational releases and are released by Fox only in the United States.)

#### Beginning of 1933-34 Season

- 3401 Pagodas of Peiping—Magic Carpet  
(8½ min.) ..... Aug. 18  
0401 Where Is My Wandering Boy?—Tintype  
(8½ min.) ..... Aug. 18  
3402 Shades of Cairo—Magic Carpet (9½ m.) ..... Aug. 25  
1102E You and I At the Gatepost—As a Dog  
Thinks Series (9 min.) ..... Aug. 25  
0501E Grand Uproar—Terrytoon (5½ min.) ..... Aug. 25  
1301 Following the Horses—Adv. of a News  
Camera Man (9½ min.) ..... Sept. 1  
3403 On Desert Patrol—Magic Carpet (9 min.) ..... Sept. 1  
0402 For the Man She Loved—Tintype (8 m.) ..... Sept. 8  
0502E Pick Necking—Terrytoon (5½ min.) ..... Sept. 8  
3404 Outposts of France—Magic Carpet (9 m.) ..... Sept. 15



0601E	Your Life Is In Your Hands—Treasure Chest Series (9½ min.)	Sept. 22
0403	Slander's Tongue—Tintype (8 min.)	Sept. 22
0503E	Fanny's Wedding Day—Terrytoon (5½ m.)	Sept. 22
0801E	Enchanted Trail—Romantic jour. (11½ m.)	Sept. 22
0901E	The Slow Poke—Stepin Fetchit (10½ m.)	Sept. 22
1302	Motor Mania—Adv. of News Cameraman (10 min.)	Sept. 29
3405	Glimpses of Greece—Magic Carpet (9 m.)	Sept. 29
1101E	Walking the Dog—As a Dog Thinks (9½ m.)	Sept. 29
0404	Twin Dukes and a Duchess—Tintype (9 m.)	Oct. 6
0701E	Kid 'In' Africa—Baby Burlesk	Oct. 6
0504E	A Gypsy Fiddler—Terrytoon (5½ m.)	Oct. 6
3406	Playground of Pan—Magic Carpet (9½ m.)	Oct. 13
1303	Scouring the Seven Seas—Adventures of a News Cameraman (9½ min.) (reset)	Oct. 13
0505E	Beanstalk Jack—Terrytoon (6 min.)	Oct. 20
0802E	Across the Sea—Romantic journey (10 m.)	Oct. 20
0405	The Great Train Robbery—Tintype (8½ m.)	Oct. 27
3407	Elephant Trails—Magic Carpet (10½ m.)	Oct. 27
1304	Filming the Fashions—Adventures of a News Cameraman (8½ min.)	Oct. 27
3408	The Island of Malta—Magic Car. (9½ m.)	Nov. 3
0506E	The Village Blacksmith—Terryt'n (5½ m.)	Nov. 3
0602E	Song of Vienna—Treasure Chest (reset)	Nov. 3
0902E	Git Along Little Doggies—Song Hit story (reset)	Nov. 10
0702E	Not Yet Titled—Baby Burlesk	Nov. 10
0603E	Shorts—Treasure Chest	Nov. 10
3409	A Day in Tokyo—Magic Carpet (9½ m.)	Nov. 17
0507E	Robinson Crusoe—Terrytoon	Nov. 17
0406	A Moment of Madness—Tintype (7½ m.)	Nov. 24
3410	Byways in Bangkok—Mag. Carp. (9½ m.)	Nov. 24
0903E	Manhattan Lullaby—Song Hit story	Nov. 24
1305	The Conquest of the Air—Adventure of a News Cameraman (10 min.)	Nov. 30
0508E	Little Boy Blue—Terrytoon	Nov. 30
3411	Around the Acropolis—Magic Carp. (9 m.)	Dec. 8
0803E	Canyon of Romance—Romantic journey	Dec. 8
0407	Helen of the Chorus—Tintype (8½ m.)	Dec. 15
3412	Gem of the Sea—Magic Carpet (9½ m.)	Dec. 15
0509E	In Venice—Terrytoon	Dec. 15

### Fox—Two Reels

0201E	Blue Blackbirds—Moran-Mack (20 min.)	Aug. 18
1201	Aniakchak—Special three reels (27½ m.)	Aug. 18
0301E	Hooks and Jabs—Langdon com. (20 min.)	Aug. 25
0202E	Dora's Dunking Doughnuts—Clyde (19½ min.)	Sept. 1
0302E	The Stage Hand—Langdon comedy (22½ min.)	Sept. 8
0204E	Farmer's Fatal Folly—Moran-Mack (20 m.)	Sept. 15
0203E	Static—Tom Howard comedy (21 m.)	Sept. 29
0303E	Merrily Yours—Frolic of Youth (21½ m.)	Oct. 6
0205E	His Weak Moment—Andy Clyde (19½ m.)	Oct. 13
0304E	Leave It To Dad—Mermaid com. (19½ m.)	Oct. 20
0101E	Million Dollar Melody—Musical comedy	Oct. 27
0305E	What a Wife—Coronet comedy	Nov. 3
0102E	Mr. Adam—Star comedy	Nov. 10
0206E	Frozen Assets—Andy Clyde comedy	Nov. 17
0207E	Not Yet Titled—Tom Howard comedy	Nov. 24
0306E	Not Yet Titled—Frolic of Youth	Nov. 30
0103E	Not Yet Titled—musical comedy	Dec. 8

### Master Art Products—One Reel

(630 Ninth Ave., New York, N. Y.)

#### Organlogues

Songs of the Hills—Radio Rubes	6 min.
Sally—Singin' Sam and Don Wallace	6½ min.
Night of Romance—Donald Novis-Ann Leaf	6½ min.
Tongue Twisters—Irving Kaufman-Lew White	6½ min.
Ship of Dreams—Ralph-Kirbery-Lew White	7 min.
Melody on Parade—Irving Kaufman-Lew White	6½ min.
Home Again—Nick Lucas-Lew White-K. Keech	7½ min.
Tintypes—Irving Kaufman-Lew White	6 min.
Oriental Phantasy—C. Carlisle-L. White	8 min.
Organ Festival—White-Leaf-Liebert-Crawford	9½ min.
Melody Tour—Froos-Liebert-Young	8 min.
Organlogue-ing the Hits—Lucas-White	9 min.

#### Melody Makers

Sammy Fain—Eton Boys-Brokenshire-Hoey	7½ min.
Cliff Friend—P. Healy-J. Fulton-Pickens Sisters	9 min.
Benny Davis—Atwell-Carlisle-Ray-Green	8 min.
Gus Edwards—Kirbery-Four Minute Men-Young	9 min.

Stephen Foster—Hundley-McCord-Keech	10 min.
Fields and McHugh—Osterman-Pickens Sisters	9 min.

#### Edwin C. Hill Series

1. The Human Side of the News	Nov. 11
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#### Pet Superstition Series

1. Spilled Salt—Barry-Lewis-Naish (10 m.)	Oct. 1
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### Metro-Goldwyn-Mayer—One Reel

T-713	Papua and Kalabahal—Fitz. Travel. (9 m.)	June 10
F-730	A Chinaman's Chance—Flip (cart.) (8 m.)	June 24
F-731	Pale Face—Flip (cartoon) (7½ min.)	Aug. 12
F-732	The Soda Squirk—Flip (cartoon)	Sept. 9

(End of 1932-33 Season)

### Beginning of 1933-34 Season

M-941	Handlebars—Oddities (10 min.)	Aug. 26
T-901	Dutch Guina, Land of the Djuka—Traveltalks (10 min.)	Sept. 2
A-961	Not Yet Titled—Goofy Movies	Sept. 9
W-921	Play Ball—Willie Whopper cart. (7 m.)	Sept. 16
M-942	Menu—Oddities (10 min.)	Sept. 23
T-902	Scotland—the Bonnie—Travel. (9 min.)	Sept. 30
A-962	Not Yet Titled—Goofy Movies	Oct. 7
W-922	Not Yet Titled—Willie Whopper cart.	Oct. 14
M-943	Happy Warriors—Oddities (9 min.)	Oct. 21

### Metro-Goldwyn-Mayer—Two Reels

C-650	Thundering Taxis—Taxi Boys com. (16 m.)	June 24
R-665	Hello Pop—Revues (17 min.)	Aug. 12
R-666	Let Us Spray—Revues	Sept. 9

(End of 1932-33 Season)

### Beginning of 1933-34 Season

R-871	Beer and Pretzels—Revues (21 min.)	Aug. 26
C-811	Sherman Said It—C. Chase (17 min.)	Sept. 2
C-821	Bedtime Worries—Our Gang (21 min.)	Sept. 3
C-831	Beauty and the Bus—Todd-Kelly (18 m.)	Sept. 16
C-841	Crook's Tour—All Star comedy	Sept. 23
C-851	Rhapsody in Brew—Musical com. (20 m.)	Sept. 30
C-801	Busy Bodies—Laurel-Hardy (20 min.)	Oct. 7
R-872	Plane Nuts—Musical revue (20 min.)	Oct. 14
C-812	Midsummer Mush—C. Chase com. (21 m.)	Oct. 21
C-822	Wild Poses—Our Gang com. (19 min.)	Oct. 28
C-832	Backs to Nature—Todd-Kelly (20 min.)	Nov. 4
C-842	Not Yet Titled—All star comedy	Nov. 11
C-852	Not Yet Titled—Musical comedy	Nov. 18
C-802	Dirty Work—Laurel-Hardy com. (20 m.)	Nov. 25

### Paramount—One Reel

Z3-3	Hollywood on Parade No. 3 (10½ min.)	Oct. 13
Y3-3	Screen Souvenirs No. 3 (10 min.)	Oct. 20
R3-4	The March of Champions—Sport'l't (20 m.)	Oct. 20
E3-2	Blow Me Down—Popeye the Sailor (6 m.)	Oct. 27
A3-4	The Little Broadcast—Headliner (10 m.)	Oct. 27
T3-4	Betty Boop's Hallowe'en Party—cart. 6½ m.	Nov. 3
P3-4	Paramount Pictorial No. 4 (10 min.)	Nov. 3
SC3-4	I Like Mountain Music—Sc. song (9 m.)	Nov. 10
Z3-4	Hollywood on Parade No. 4 (10 m.)	Nov. 10
E3-3	I Eats My Spinach—Popeye the Sailor (6½ min.)	Nov. 17
Y3-4	Screen Souvenirs No. 4 (9 min.)	Nov. 17
A3-5	Station T.O.T.—Headliner	Nov. 24
R3-5	Kennel Kings—Sportlight (9½ min.)	Nov. 24
T3-5	Parade of the Wooden Soldiers—Boop cartoon (8 min.)	Dec. 1
P3-5	Paramount Pictorial No. 5	Dec. 1
E3-4	Seasin's Greetinks—Popeye the Sailor	Dec. 8
Z3-5	Hollywood on Parade No. 5	Dec. 8
SC3-5	Sing, Babies, Sing—Screen Song	Dec. 15
Y3-5	Screen Souvenirs No. 5	Dec. 15
A3-6	Where's That Tiger—Headliner	Dec. 22
R3-6	Around the Calendar—Sportlight (10 min.)	Dec. 22
E3-5	Wild Elephinks—Popeye the Sailor	Dec. 29
P3-6	Paramount Pictorial No. 6	Dec. 29

### Paramount—Two Reels

DD3-1	Ducky Dear—Toler comedy (18½ min.)	Sept. 1
BB3-1	Sailors Beware—Crosby (17½ min.)	Sept. 15
QQ3-2	On Ice—Pallette comedy (20½ min.)	Oct. 6
LL3-2	One Awful Night—Langdon com. (20 m.)	Oct. 20
BB3-1	Three Little Swigs—Leon Errol (20½ m.)	Nov. 10
DD3-2	Cold Turkey—Cawthorne com. (18 m.)	Dec. 1
BB3-2	Please—Bing Crosby	Dec. 15



## RKO—One Reel

34306	Contrast in China—Vagabond No. 6 (10 m.)	May 12
34119	Barking Dog—Fables cartoon (7½ min.)	May 19
34211	In the Park—Tom & Jerry cart. (6 min.)	May 26
34120	Fresh Ham—Fables cart. (7½ min.)	June 2
34506	Pathe Review No. 6 (11 min.)	June 9
34121	Bully's End—Fables cartoon (7 min.)	June 16
34212	Dough Nuts—Tom & Jerry cart. (7½ m.)	June 23
34122	Indian Whoopee—Fables cart. (7 min.)	June 30
34123	Rough on Rats—Fables cart. (7 min.)	July 14
34213	Phantom Rocket—Tom & Jerry cart. (6½ min.)	July 21
34124	A.M. to P.M.—Fables cartoon (6½ min.)	July 28
34507	Pathe Review No. 7 (10½ min.)	Aug. 4
34125	Nut Factory—Fables cartoon (7 min.)	Aug. 11
34126	Cubby's World Flight—Fables cart. (8 m.)	Aug. 25

## Beginning of 1933-34 Season

44401	Antwerp—Vagabond No. 1 (10½ min.)	Sept. 8
44201	The Fatal Note—King Cart. No. 1 (7 m.)	Sept. 29
44101	Cubby's Picnic—Fables (6½ min.)	Oct. 6
44501	Pathe Review No. 1 (11 min.)	Oct. 20
44202	Marching Along—King cart. No. 2 (6½ m.)	Oct. 27
44102	The Gay Gaucho—Fables (7½ min.)	Nov. 4
44402	Cuba—Vagabond No. 2	Nov. 10
44203	On the Pan—King cartoon No. 3	Nov. 24
44103	Gallop'n' Fanny—Fables cartoon	Dec. 1
44502	Pathe Review No. 2	Dec. 15

## RKO—Two Reels

43301	Quiet Please—E. Kennedy com. (20½ m)	Aug. 11
43601	Flirting in the Park—Blondes & Redheads No. 1 (21 min.)	Aug. 18
43801	The Fireman—Chaplin No. 1 (21 min.)	Aug. 25
43101	Murder at Bridge Table—Culbertson No. 1 (21 min.)	Sept. 1
43501	How Comedies Are Born—Sweet & Gribbon No. 1 (19 min.)	Sept. 8
43102	A Forced Response—Culbertson No. 2 (17 min.)	Sept. 15
43701	Knee Deep in Music—Etting No. 1 (21½ min.)	Sept. 22
43103	Society Cheaters—Culbertson No. 3 (21 m.)	Sept. 29
43104	What Not To Do In Bridge—Culbertson No. 4 (14½ min.)	Oct. 13
43202	Fits In a Fiddle—Clark-McCullough No. 2 (14½ min.)	Oct. 20
43105	Transatlantic Bridge Tricks—Culbertson No. 5 (20½ min.)	Oct. 27
43302	What Fur—Kennedy No. 2 (21 min.)	Nov. 3
43106	Three Knaves and a Queen—Culbertson No. 6 (19½ min.)	Nov. 10
43802	The Count—Chaplin No. 2	Nov. 17
43203	Snug In a Jug—Clark-McCullough No. 3 (19½ min.)	Nov. 24
43502	Suits to Nuts—Sweet-Gribbon (19 m.)	Dec. 1
43702	California Weather—Etting No. 2 (20 m.)	Dec. 15
43402	Air Tonic—Headliner No. 2 (21 min.)	Dec. 22

## United Artists—One Reel

16	Puppy Love—M. Mouse (cart.) (8 min.)	Aug. 14
13	Pied Piper—S. Symphony (cart.) (7½ min.)	Sept. 13
17	The Steeplechase—M. Mouse (cart. (7 m.)	Sept. 26
18	The Pet Store—M. Mouse (cart.) (7 min.)	Oct. 17

## Universal—One Reel

A5209	Strange As It Seems No. 30 (10 min.)	July 10
A5411	Confidence—Oswald cartoon (7½ min.)	July 31
A5210	Strange As It Seems No. 31 (8½ min.)	Aug. 7
A5312	King Klunk—Pooch cart. (8½ min.)	Sept. 4
A5313	She Done Him Right—Pooch cart. (7½ m)	Oct. 9

(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7261	Goofytone News No. 1—Snappy c. (7½ m)	Aug. 28
A7241	Strange As It Seems No. 32 (9½ min.)	Sept. 4
A7201	Five and Dime—Oswald cartoon (8 m.)	Sept. 18
A7262	Goofytone News No. 2—Snappy c. (9½ m.)	Oct. 2
A7242	Strange As It Seems No. 33 (9½ m.)	Oct. 9
A7202	In the Zoo—Oswald cartoon (reset)	Nov. 6
A7263	Goofytone News No. 3—Snappy comedy	Nov. 13
A7243	Strange As It Seems No. 34 (8½ m.)	Nov. 20
A7203	Merry Old Soul—Oswald cartoon	Nov. 27
A7204	Parking Space—Oswald cartoon	Dec. 4
A7424	Goofytone News No. 4—Snappy comedy	Dec. 11

(A7281 "Mark Hellinger No. 1" listed in the last Index as an October 2 release has been temporarily withdrawn.)

## Universal—Two Reels

A6012	Safe Landing—Phantom No. 12 (17 m.)	Aug. 7
A5952	Peeping Tom—Sobol No. 4 (17 m.)	Sept. 27

(In the last Index there was listed as an August 9 release "A5123—Warren Doane Brevities." This has been transferred to the 1933-34 Season and is now listed as such.)

(End of 1932-33 Season)

## Beginning of 1933-34 Season

A7105	Warren Doane's Brevities (19½ m.)	Aug. 9
A7401	A Lone Hand—Gordon of Ghost City No. 1 (21½ min.)	Aug. 14
A7402	The Stampede—Gordon No. 2 (21 m.)	Aug. 21
A7403	Trapped—Gordon No. 3 (20 min.)	Aug. 28
A7190	World's Greatest Thrills (Spec.) (19 m.)	Aug. 28
A7404	The Man of Mystery—Gordon No. 4 (18m)	Sept. 4
A7161	On the Air and Off—Mentone Mus. No. 1 (19 min.)	Sept. 6
A7405	Riding for Life—Gordon No. 5 (20½ m.)	Sept. 11
A7406	Blazing Prairies—Gordon No. 6 (20½ m.)	Sept. 18
A7162	All At Sea—Mentone No. 2 (21 m.)	Sept. 20
A7407	Entombed in the Tunnel—Gordon No. 7 (20 min.)	Sept. 25
A7408	Stampede—Gordon No. 8 (20½ min.)	Oct. 2
A7409	Flames of Fury—Gordon No. 9 (18½ m.)	Oct. 9
A7163	The Big Benefit—Mentone No. 3 (21 m.) (reset)	Oct. 11
A7410	Swimming the Torrent—Gordon No. 10 (17½ min.)	Oct. 16
A7101	Stung Again—Doane No. 1 (18 m.) (reset)	Oct. 18
A7411	A Wild Ride—Gordon No. 11 (18½ m.)	Oct. 23
A7102	Open Sesame—Armetta com. (19½ m.)	Oct. 25
A7412	Mystery of Ghost City—Gordon N. 12, 18 m.	Oct. 30
A7801	The Guns of Doom—Perils of Pauline No. 1 (20 min.)	Nov. 6
A7103	Out of Gas—Fazenda com. (21 min.)	Nov. 8
A7802	The Typhoon of Terror—Pauline No. 2 (20½ min.)	Nov. 13
A7803	The Leopard Leaps—Pauline No. 3, 19½m.	Nov. 20
A7104	Not the Marrying Kind—Doane comedy	Nov. 22
A7804	Trapped by the Enemy—Pauline No. 4	Nov. 27
A7164	Supper at Six—Mentone comedy No. 4	Nov. 29
A7805	The Flaming Tomb—Pauline No. 5	Dec. 4
A7806	Pursued by Savages—Pauline No. 6	Dec. 11
A7106	Pie for Two—Gleason comedy	Dec. 13

## Vitaphone—One Reel

## Beginning of 1933-34 Season

8001	Hot From Petrograd—Apollon & Band (10½ min.)	Sept. 2
8301	Walter Donaldson—Betty Keane (10 min.)	Sept. 9
8101	Buddy's Day Out—Looney Tune (7½ min.)	Sept. 9
8201	Exploring the Pacific—Travel with music (10½ min.)	Sept. 16
8302	Admission 5 Cents—Oldtime nov. (10½ m.)	Sept. 23
8114	I've Got to Sing a Torch Song—Merrie Melody cartoon (6½ min.)	Sept. 30
8002	Barber Shop Blues—Claude Hopkins (9½ min.)	Sept. 30
8303	Rock-a-Bye-Bye—Dr. Rockwell (11 min.)	Oct. 7
8202	Samoa Memories—Musical journey (10 m.)	Oct. 14
8102	Buddy's High Jinks—L. Tune cartoon	Oct. 21
8304	Laughs in the Law—Dan Coleman (8 m.)	Oct. 21
8003	Rubioff and His Orchestra (10½ m.)	Oct. 28
8115	Pettin' in the Park—Merrie Melody	Nov. 4
8305	Notre Dame Glee Club (8 min.)	Nov. 4
8203	Heart of Paris—Musical journey (9 min.)	Nov. 11
8103	Buddy's Beer Garden—Looney Tune (7 m.)	Nov. 18
8306	Harry Warren—Leaders (10 min.)	Nov. 18
8004	Eddie Duchin and Orchestra (10 min.)	Nov. 25

## Vitaphone—Two Reels

7501	Use Your Imagination—Hal LeRoy (18 m.)	Sept. 2
7502	Rufus Jones for President—Musical comedy (21½ min.)	Sept. 9
7601	Salt Water Daffy—Comedy (21½ min.)	Sept. 16
7503	Seasoned Greetings—Lita G. Chaplin (20 m.)	Sept. 23
7602	Close Relations—Arbuckle-Judels (21½ m.)	Sept. 30
7504	Paul Revere, Jr.—Gus Shy (21½ min.)	Oct. 7
7505	Operator's Opera—Musical (21 min.)	Oct. 14
7603	Gobs of Fun—Givot-Judels (c.) (21½ m.)	Oct. 21
7506	'Tis Spring—Jenkins comedy (19 min.)	Oct. 28
7604	Turkey in the Raw—Shy-Hubert (21 m.)	Nov. 4
7507	Yeast is Yeast—Patricola com. (20 m.)	Nov. 11
7508	The Mild West—Reade-Borden (20 min.)	Nov. 18
7605	In the Dough—Arbuckle comedy (22 m.)	Nov. 25

## NEWSWEEKLY NEW YORK RELEASE DATES

### Universal News

190	Saturday	Oct. 21
191	Wednesday	Oct. 25
192	Saturday	Oct. 28
193	Wednesday	Nov. 1
194	Saturday	Nov. 4
195	Wednesday	Nov. 8
196	Saturday	Nov. 11
197	Wednesday	Nov. 15
198	Saturday	Nov. 18
199	Wednesday	Nov. 22
200	Saturday	Nov. 25
201	Wednesday	Nov. 29
202	Saturday	Dec. 2
203	Wednesday	Dec. 6
204	Saturday	Dec. 9
205	Wednesday	Dec. 13
206	Saturday	Dec. 16
207	Wednesday	Dec. 20

### Pathe News

45228	Wed. (E.)	Nov. 1
45129	Sat. (O.)	Nov. 4
45230	Wed. (E.)	Nov. 8
45131	Sat. (O.)	Nov. 11
45232	Wed. (E.)	Nov. 15
45133	Sat. (O.)	Nov. 18
45234	Wed. (E.)	Nov. 22
45135	Sat. (O.)	Nov. 25
45236	Wed. (E.)	Nov. 29
45137	Sat. (O.)	Dec. 2
45238	Wed. (E.)	Dec. 6
45139	Sat. (O.)	Dec. 9
45240	Wed. (E.)	Dec. 13
45141	Sat. (O.)	Dec. 16
45242	Wed. (E.)	Dec. 20

### Fox Movietone

14	Saturday	Nov. 4
15	Wednesday	Nov. 8
16	Saturday	Nov. 11
17	Wednesday	Nov. 15
18	Saturday	Nov. 18
19	Wednesday	Nov. 22
20	Saturday	Nov. 25
21	Wednesday	Nov. 29
22	Saturday	Dec. 2
23	Wednesday	Dec. 6
24	Saturday	Dec. 9
25	Wednesday	Dec. 13
26	Saturday	Dec. 16
27	Wednesday	Dec. 20

### Paramount News

28	Wednesday	Nov. 8
29	Saturday	Nov. 11
30	Wednesday	Nov. 15
31	Saturday	Nov. 18
32	Wednesday	Nov. 22
33	Saturday	Nov. 25
34	Wednesday	Nov. 29
35	Saturday	Dec. 2
36	Wednesday	Dec. 6
37	Saturday	Dec. 9
38	Wednesday	Dec. 13
39	Saturday	Dec. 16
40	Wednesday	Dec. 20

### Metrotone News

212	Saturday	Nov. 4
213	Wednesday	Nov. 8
214	Saturday	Nov. 11
215	Wednesday	Nov. 15
216	Saturday	Nov. 18
217	Wednesday	Nov. 22
218	Saturday	Nov. 25
219	Wednesday	Nov. 29
220	Saturday	Dec. 2
221	Wednesday	Dec. 6
222	Saturday	Dec. 9
223	Wednesday	Dec. 13
224	Saturday	Dec. 16
225	Wednesday	Dec. 20



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No. 47

## BLOOD MONEY

"DAY OF RECKONING," with Richard Dix: The hero steals money from the place he worked for and is arrested and sent to jail. His wife goes to a friend to furnish bail so that he might come out of jail. The friend, who is infatuated with her, makes her believe that he will help her. Instead, he orders his lawyers to frame him. Thus the hero is convicted. Later on the heroine is murdered in the friend's apartment by his ex-mistress. He is arrested and taken to the same jail. And there is staged one of the most blood-curdling murder fights ever seen in pictures: the hero tries to murder the ex-friend by throwing him from the roof of the jail to the stone pavement below. The hero slips and grasps the eaves. The ex-friend kicks the hero's knuckles with the heel of his shoe. One of the hero's friend-cellmates grabs a crutch and strikes the hero's ex-friend on the head. The ex-friend loses his grip and falls; he is killed.

Everything shown in this picture appeals to the morbid emotions. It really is not entertainment; it is a drama in which the basest of human emotions are in conflict.

"BLOOD MONEY"—with George Bancroft: The hero is a bail bondsman. He exercises powerful influence over the underworld as well as over police and judicial authorities. Because bail bonding is a discredited profession, and a person engaged in such a business cannot awaken any sympathy, the producers tried to create some sympathy for Mr. Bancroft. But the means adopted were low: a mother takes her sixteen-year-old boy to Bancroft and informs him that her boy was threatened with arrest for criminal assault. When Bancroft asks the mother how old is the girl, she answers him: "She is not a girl; she is a woman." When he finds out that the boy is sixteen, he tells them both to go home and quit worrying.

Later in the picture there is introduced the heroine, daughter of wealthy parents. She is a kleptomaniac and possesses a perverted mind—she wants to meet the bank robber whom Bancroft was trying to save from going to the penitentiary for life. She then drops Bancroft and follows the thief.

It is hardly necessary for you to be told that the picture appeals to the basest human emotions. And the pitiful part about it is the fact that George Bancroft has always been popular among young folk, particularly boys; they idolize him. Imagine then the harm that a picture of this type will do to the young manhood and womanhood.

"LOVE, HONOR AND OH BABY": The hero frames his fiancée's employer in an effort to blackmail him; and he gets away with it.

"I LOVED A WOMAN," with Edward G. Robinson: The hero sells to the government rotten canned beef, which kills many soldiers fighting in Cuba in the Spanish-American War.

"WHITE WOMAN": Laughton's attitude toward the men that worked for him is inhuman. Severed heads of natives are brought into the picture for "horror" effect, but what they really succeed in doing is to turn the stomachs of sensitive persons. Laughton's cruelty is such as to treat human life as if it were just so much rubbish; he does not hesitate to feed some unfortunate human to the crocodiles. It is not an entertainment.

These are only a few of the pictures in which an appeal is directed to everything there is base and low and ignoble in human nature.

How long will the producers of motion pictures disregard the rights of the public? For in producing pictures of this type they are not only disregarding such rights but they trample upon them. The public has no way of compelling the producers to discontinue the production of this sort of pictures except by staying away from the theatres.

And this method is impracticable, for motion picture entertainment is necessary in their lives, and they must return to the theatre sometime, even though many of them do so reluctantly.

Money made out of pictures of this type is blood money, for it is obtained by wrecking the happiness of people.

In preaching against pictures of this type, HARRISON'S REPORTS is prompted not by religious reasons, nor even by moral reasons; it is motivated only by reasons of common sense. This sort of pictures do not make any money for the exhibitor, and naturally not for the producer. "Blood Money" played at the Rivoli, in this City, only one week, despite the popularity of Mr. Bancroft. "Day of Reckoning" "died" at the Capitol, despite the expensive presentations that are given with the pictures. "The Story of Temple Drake" died a frightful death, because it proved insulting to people.

I could go on giving example after example to convince every reader of this article with the exception of many of those who produce moving pictures that material of this type put into pictures proves unprofitable. But I wonder if it will do any good as long as production is in the hands of people without any sense of moral obligation towards those they are trying to entertain.

## AGAIN ABOUT UNIVERSAL'S "THE INVISIBLE MAN"

The Seventeenth Clause of the Five-Five-Five contract which the NRA Code makes the official contract reads as follows:

"If any of the said motion pictures described in the Schedule, excepting those, if any, which may be roadshown by the Distributor, shall not be generally released in the United States during the period beginning..... and ending....., each such motion picture shall be excluded from this license, upon written notice to such effect given to the Exhibitor by the Distributor prior to fifteen (15) days before the end of said period, unless the Exhibitor shall give written notice to the Distributor not later than thirty (30) days after the end of said period that the Exhibitor elects to exhibit hereunder all such motion pictures if generally released during the year immediately following the end of said period. If such notice of election is given as aforesaid the Distributor shall deliver and the Exhibitor shall exhibit each of such motion pictures upon the terms and conditions of this license excepting that any thereof which are not so generally released within the said following year shall also be excepted and excluded from this license. In such case the Distributor may exhibit and license for exhibition each such motion picture so excluded when and where desired by the Distributor and all claims of the Exhibitor in respect thereof are hereby expressly waived and the Distributor released and discharged therefrom by the Exhibitor."

Notice the wording, "... upon written notice to such effect given to the Exhibitor by the Distributor prior to fifteen (15) days before the end of said period," which has been italicized by me for greater emphasis: by this provision the Distributor is compelled to notify you at least fifteen days before the date specified in the contract, which date will be the last month of the life of the contract, that a certain number of pictures have not been released, and that these will be excepted and excluded from the license, unless you notify the distributor not later than thirty days after such specified date that you prefer to show all the pictures that were not released during the life of the contract.

The contract form that has been in effect since compulsory arbitration was declared by the courts illegal did not contain such a provision. In those forms the exhibitor could

(Continued on last page)



### **"Invisible Man" with Claude Rains and Gloria Stuart**

(Universal, Oct. 30; running time, 71 min.)

Good entertainment for followers of horror melodrama. The story is weird; the idea behind it is so fantastic that it will send shivers down one's spine. But what makes this good entertainment is the fact that the tension is relieved by much comedy. Some of the action will bring gasps from the audience. Such will be the effect when Claude Rains, a scientist, by means of a drug he had discovered, makes himself invisible, after disrobing himself; he is shown taking off bandages from his head, but his head is not there. The same is true when he removes his clothes; the body is invisible. When he starts to dress, one sees the parts of the body as they are covered by the clothing. It provokes laughs when a torso with pajamas walks across the room, with no legs, or head visible. One sees a cigarette lifted into the air and lit, a chair moving, an automobile being driven, all without the presence of a person. Much of the comedy is provoked by the mad pranks Rains plays on people while he is invisible. For instance, during an investigation in which the police inspector chides the witnesses for giving false testimony about an invisible man, Rains, invisible, talks to the inspector, and suddenly one sees an inkwell lifted into the air, and the ink spilled in the inspector's face. The audience is held in suspense throughout because of Rains' maniacal desire to kill people while in his invisible state. The closing scenes showing Rains trapped are thrilling but pitiful:—

Claude Rains, a young scientist, had discovered a drug by which he made his body invisible. He took the drug and made himself invisible but since he had not discovered an antidote he could not make himself visible again. In order to work in peace he left the home of his employer, Henry Travers, and went to a small inn where he could work on the solution. Gloria Stuart, Travers' daughter, in love with Rains, was worried when she did not hear from him. Stories were heard about an invisible man killing people and wrecking things. Travers knew that it was Rains. Rains attempted to have William Harrigan, another scientist, join him in a plan to rule the world, and when Rains discovered that Harrigan had called in the police he killed him. Rains was finally caught—a farmer told the police that Rains lay hidden in his barn. There was snow outside and the police set fire to the barn. This brought Rains out. The police tracked him by following his foot tracks in the snow. They shot at him and wounded him mortally. As he grew weaker and was near death, the drug left his body and when he died his body became visible.

The plot was adapted from a story by H. G. Wells. It was directed by James Whale. In the cast are Una O'Connor, Dudley Digges, Holmes Herbert, and others.

It will frighten children, and many adolescents. Too many murders for it to be a suitable Sunday fare.

### **"White Woman" with Charles Laughton, Carole Lombard and Charles Bickford**

(Paramount, Nov. 3; running time, 67 min.)

The main attraction of "White Woman" is the acting of Charles Laughton, in the role of a cruel and heartless trader. But even this has its drawbacks because he uses a brogue that makes his talk difficult to understand. As for the picture itself it is depressing. Laughton's character is extremely unpleasant; he is a sadist, who enjoys seeing people killed, and is ruthless in his treatment of his workers. Some sympathy is felt for Carole Lombard, who suffers because of his cruelty, but this is not enough to hold the interest throughout. The action, which unfolds in the jungle, is very slow:—

When Carole Lombard's husband killed himself, she was left stranded in a Malayan settlement and in order to support herself was forced to take a position in a cafe as an entertainer. The people in the settlement unjustly accused her of being the cause of her husband's death and demanded that she be deported. Charles Laughton, a trader who lived up the river, was attracted to her and Carole married him for protection. Once she arrived at his jungle home she realized how brutal he was; he insulted her at every opportunity. Since he had something on every man who worked for him, every one of them was at his mercy. To try to escape meant sure death. Kent Taylor, one of the men there, fell in love with Carole and she returned his love. They decided to take their chances and leave the island. But Laughton made it impossible for them to do so. There was an uprising of the natives who were revolting because of the defective goods Laughton was giving them. Bickford, Laughton's assistant, who had tried to seduce Carole but

had failed, decided to help the lovers and saw them safely away from the island. He remained with Laughton. Both were killed by the natives.

The plot was adapted from a story by Norman Reilly Raine and Frank Butler. It was directed by Stuart Walker. In the cast are Percy Kilbride, Charles B. Middleton, James Bell, Claude King and others.

Not for children, adolescents, or Sundays.

### **"Above the Clouds" with Robert Armstrong, Richard Cromwell and Dorothy Wilson**

(Columbia, Oct. 24; running time, 66½ min.)

Fair entertainment. It has a few thrills, brought about by the work of Robert Armstrong and Richard Cromwell, newsreel cameramen; also some of the situations provide laughs. The character of Robert Armstrong is an unpleasant one, for he uses Richard Cromwell to do all the dangerous work, taking the credit for it himself, and doing nothing to further Cromwell's position. He even sees fit to intimate that Dorothy Wilson is immoral, although that is not the truth. The closing scenes aboard a dirigible are quite exciting; there is a gale and heavy rain, and the ship cracks in mid-air. The romance between Dorothy and Cromwell is pleasant:—

Armstrong has the reputation of being a daring newsreel cameraman. No one knows that he uses Richard Cromwell to take the dangerous shots. He is always promising Richard to do things for him, but he never keeps those promises. Richard meets Dorothy Wilson, a stenographer in the newsreel office and they fall in love with each other. One night Armstrong sends Cromwell out on an errand, and then asks Dorothy to drive him home in her car. He takes her out to the country and when she refuses his attentions he takes the key to the car, forcing her to walk home. She does not arrive home until morning. Cromwell believes in what Armstrong tells him about Dorothy and refuses to see her. Eventually he finds out the truth, and also that Armstrong had never done anything about getting him a position with the firm. The head of the firm, who had heard of Cromwell's heroic work in taking pictures while a passenger on a dirigible that was coming apart, gives Cromwell a position as first-cameraman, discharging Armstrong. Richard and Dorothy marry.

The plot was adapted from a story by George B. Seitz. It was directed by Roy William Neill. In the cast are Edmund Breese, Morgan Wallace, Dorothy Revier, and others.

Because of some suggestive remarks by Armstrong, you will have to use your own judgment whether it is suitable for children, adolescents and Sundays, or not.

### **"Master of Men" with Jack Holt and Fay Wray**

(Columbia, Oct. 28; running time, 74½ min.)

A fairly entertaining melodrama; it holds the interest throughout. Although there is nothing novel in the story, which depicts the rise and fall of a financier, Jack Holt gives virility to it and brings realism to the role. Human interest is aroused because of the sympathy one feels for Fay Wray who is unhappy when Holt strives for money and power, throwing down little men who are in his way.

Holt is a crane operator in the steel mill owned by Fay's father. Leading the men in their demands for an increase in wages and better working conditions, he wins concessions for them. At the same time he is appointed personnel manager and becomes friendly with Walter Connolly, a large stockholder in the company. Fay meets Holt, is attracted to him, and they soon fall in love. Holt overhears a conversation between Fay's father and his manager in which they plan to pull a crooked deal to wipe out Connolly's share in the business. He warns Connolly about this, and he, a clever financier, manipulates things so that he is the owner of the steel mill; he makes Holt the president. Fay understands when the matter is explained to her and she marries Holt. He closes the mill, and goes to New York with Fay to live there; he devotes all his time to playing the market. He is so intent on making a success that he neglects Fay. She is heartbroken at the change in him and in order to save him gives information to his enemies which ruins Holt. He leaves her when he finds this out. Holt goes back to his old mill town and there finds Connolly, who was planning to reopen the mill and put Holt in charge. Fay is there, too, and a reconciliation follows.

The plot was adapted from a story by Chester Erskin and Eugene Solow. It was directed by Lambert Hillyer. In the cast are Theodor von Eltz and others.

Suitable for children, adolescents, and Sundays.



### "The Right to Romance" with Ann Harding (RKO, Nov. 17; running time, 66½ min.)

Fair entertainment for adults, particularly women. Although the story does not present any exciting situations, the interest is held throughout because of the sympathy one feels for Ann Harding, who, by her sensitive acting, makes the character of the romance-seeking woman-doctor understandable. The situation in which she discovers that her young husband was unfaithful to her and that she could not hold him because she was older and too settled makes the spectator feel sorry for her:—

Ann Harding, a famous surgeon, feels that life is passing her by without offering her any fun or romance. She decides to take a vacation and leaves her hospital work, bidding goodbye to her friend, Nils Asther, a chemist. While vacationing she meets Robert Young, and although he is much younger, she becomes very much attracted to him, as he becomes to her. He forgets all about his sweetheart, Sari Maritza, and when Ann Harding goes back to her hospital work he follows her and insists that she marry him. Nils, who loved her for many years, feels it is not the thing for her to do but gives her his blessings. Their marriage is happy until Young becomes restless. His old gang pay him a visit and he is fascinated anew by Sari. Ann realizes that Robert had been indiscreet with Sari and is disgusted. All become drunk and go out automobiling. Robert and Sari are in an accident and Ann, by her surgical skill, saves Sari. She gives Robert up to the younger girl and realizes that Nils is the man for her.

The plot has been adapted from a story by Myles Connolly. It was directed by Alfred Santell. Others in the cast are Irving Pichel, Helen Freeman and Alden Chase.

The affair between Sari Maritza and Robert Young has been handled discreetly; therefore, children and many adolescents will not understand it. Use your judgment about booking it for a Sunday.

### "Take a Chance" with James Dunn and June Knight

(Paramount, Oct. 27; running time, 81 min.)

Just a moderately entertaining comedy with music. It is more or less a faithful transcription of the stage play, but it lacks the spontaneity of the play, and is without any real good comedian, since James Dunn, in the role of the feature comedian, falls short of being comical. The story is thin, there is no human interest, and as far as the back-stage atmosphere is concerned it has been done much better in other pictures. Some of the old songs that were used in the play have been put into the picture, and some new songs have been added. It is a weak entertainment and becomes boring after a while.

In the story James Dunn and his pal, Cliff Edwards, are two gamblers with a habit of picking pockets. They are befriended by June Knight, a singer, who works in the same cafe. Buddy Rogers, a wealthy play producer, meets June and falls in love with her. He promises to star her in his show. But there are complications when Dunn and Edwards cheat Buddy of six hundred dollars in one of the games. June forces them to give the money to her which she returns to Buddy. Again they disgrace June at a charity bazaar given by Buddy's father, but finally everything is adjusted, the play is a success, and June and Buddy are united. Dunn and Edwards, who had been forced into the play at the last minute, are a great success.

The plot was adapted from the play by Laurence Schwab, Buddy DeSylva and Monte Brice. It was directed by Laurence Schwab and Monte Brice. In the cast are Lillian Roth, Lilian Bond, Dorothy Lee, and others.

Because of some suggestive wise-cracks, it is up to you to determine whether it is suitable for children, adolescents, and Sundays, or not.

### "Blood Money" with George Bancroft

(United Artists, Nov. 17; running time, 65 min.)

Poor, for the reason that the hero's profession is despised; he is a bail bondsman, exerting great influence over the underworld and over police as well as judicial authorities. This, however, would not have been so bad if he had not employed his influence to benefit crooks. For instance, the brother of the woman he lived with had committed two robberies and, because of the hero's influence, escaped punishment. The last crime he committed was holding up a bank and robbing it. The hero used all his influence to save him. One other pernicious thing done is the attempt to put a halo around the brother of the hero's mistress—a crook.

The producers seem to have held the belief that the picture would be put over by the situation where the under-

world characters, friends of the discarded mistress of the hero, substitute a pool ball loaded with TNT so that the hero would be blown to pieces while playing pool. It is true that this situation is suspenseful, but it does not put the picture over, because the thought of blowing up a human being to pieces is not entertaining.

The picture is not entertaining and it is so demoralizing that it should never have been produced, particularly because it will prove unprofitable, not only to the exhibitors, but also to the producer himself. I venture to say that it will die a horrible box-office death.

Rowland Brown and Hal Long wrote the story, and Rowland Brown directed the picture. Frances Dee, Chick Chandler and Judith Anderson are in the cast.

Unsuitable for any purpose.

### "Secret Sinners"

(Mayfair Pictures; running time, 57 min.)

Mediocre program fare. The story is thin, the action slow, and there is little in it to hold the interest of the spectator. There are some back-stage scenes but not even this helps much. The closing scenes are implausible and instead of being taken seriously by audiences, it probably will cause them to laugh.

Sue Carol, sweetheart of Nick Stuart, befriends Cecilia Parker, stranded in the city, and obtains a position for her as a chorus girl in the show she was a dancer in. Sue tells Cecilia to wait for her at the stage door because they were to go out with Nick and another man. Cecilia notices Jack Mulhall standing around and thinking he was the friend talks to him. She later finds out her mistake but they become friends and go out together. The friendship grows into love. Mulhall proves himself decent by helping Nick in business. Cecilia finds out one night that Mulhall was married. Instead of waiting for an explanation she leaves him and the next night goes to a roadhouse with another man. Once there she is sorry and asks the man to drive her back. He drives recklessly and there is an accident. Mulhall, who had followed her, takes her back in his car; he tells her that he was not living with his wife and that he was inducing her to obtain a divorce so that they might marry. There is a happy reconciliation.

The plot was adapted from a story by F. McGrew Willis. It was directed by Wesley Ford. In the cast are Harry Barris, Natalie Moorhead, and others.

There is nothing in it to make it unsuitable for children or adolescents, or Sundays.

### "From Headquarters" with George Brent and Margaret Lindsay

(Warner Bros., Dec. 2; running time, 64 min.)

This should please followers of murder mystery melodramas, for it is somewhat novel. Instead of dealing entirely with the murder and its motives, it deals mostly with the police work on the case. All clues are followed and examined both by a doctor and a chemist; for instance, blood stains, finger-prints, and hair found on the dead man. The interesting part of it is the way this is done. In addition, one is held in suspense throughout because the identity of the murderer is not made known until the end; it is all worked out logically. There is a sprinkling of comedy to relieve the tension, and one feels sympathy with the heroine, who is involved in the murder. The closing scenes are rather exciting, when a material witness is murdered right in the police building:—

George Brent, a police lieutenant, is assigned to work on a murder case. Involved in the case are Margaret Lindsay and her brother, Theodore Newton. She confesses to Brent, who was in love with her, that the reason why she gave Brent up and took up with the murdered man was because he was blackmailing her mother and she felt that by accepting his attentions she would stop him. Her brother had arrived at the man's house in time to save his sister from him, and a quarrel followed. But the mystery is eventually cleared up—the murder had been committed by the butler in self defense, when he attempted to get the written evidence that the murdered man was using to blackmail the heroine's mother. Another murder occurs at the police station by the blackmailing partner of the dead man; he murdered a man who had seen him at the partner's apartment the night of the murder. Hero and heroine marry.

The plot was adapted from a story by Robert N. Lee. It was directed by William Dieterle. In the cast are Eugene Pallette, Hugh Herbert, Dorothy Burgess, Hobart Cavanaugh, Robert Barrat, Ken Murray and others.

Children may be frightened; otherwise suitable for all audiences and Sundays.



reject but could not demand all pictures not "generally released" during the life of the contract. The mixed contract committee which framed the italicized provision recognized the injustice of the prevailing practice and sought to remedy it. The theory was that an exhibitor could, under the pressure of business, overlook sending a notice that he wanted the unproduced pictures; it also made it possible for the producer to delay the production of choice story material toward the end of the season, put off the completion of the pictures and then fortify himself behind the failure of the exhibitor to exercise his contractual rights.

When the representatives of the producer-distributors, during the Atlantic City negotiations, agreed to the modified provision in the Five-Five-Five contract, they admitted indirectly that such was the case and agreed to abide by the modified provision which protected the exhibitor from unfair tactics on the part of the distributor. Universal's taking advantage, then, of a situation that has been admitted to be unfair is not only morally wrong but inexcusable, particularly because the exhibitors, as said in last week's article, had all their attention centered on the code and overlooked sending their notice demanding the "not generally released" pictures, among which is also "Counselor at Law."

Up to this time Mr. Carl Laemmle has valued the good will of the exhibitor. Is he now going to allow the love and esteem the exhibitors have for him to be thrown away by a general manager who could not be fair if he tried to? I know that this man once caused his company a loss of at least three million dollars by his refusal to adjust a fifty-dollar claim, arising out of a decision reported to have been made by a drunken arbitration board.

If Mr. Laemmle should refuse to deliver "The Invisible Man" and "Counselor at Law" to the holders of 1932-33 contracts, then he will let the exhibitors make one of two surmises: either he purposely delayed production of the two pictures so as to take advantage of a technical violation of the contract terms, or that he approves of whatever policies his general sales manager may put into force, no matter how unmoral and contrary to the former Universal policies these may be.

### SENTIMENTS WORTH HEEDING

The October 6 issue of the New York *American* printed the following letter from a person signed "An American Husband"; it is worth noting by the producers of motion pictures:

"Miss Ruth Chatterton has decided not to play the part of a harlot on the screen. This is a very radical decision at a time when the screen offers the patient public little else than a variety of harlot's parts—but a very commendable decision.

"Miss Chatterton should receive thanks and congratulations from that section of the public which is not primarily interested in harlots.

"The decision may keep Miss Chatterton off the screen for a while, but in the end it must prove not only of moral but of financial advantage.

"The public is going to get tired of harlots some time. Even the producers may some time have resourcefulness enough to think of some other kind of a part for men than a gangster, and some other kind of a part for women than a harlot.

"But even if the play-going public is by this time thoroughly debauched and fails us, and even if the producer, after doing his best to lift himself to a higher level, cannot think of anything more spiritual than a harlot, we still have the great silent masses. The one-time moral masses of America, to fall back on.

"There will surely soon be a revolution against the degeneracy, the immorality, the indecency of the stage.

"There will surely some day be established an effective Federal censorship of activities which invade every household and exercise a determining influence of the character of the whole people, but particularly of the young.

"Are we going to allow our young people to be educated to admire gangsters and harlots?

"Are we going to teach them that there is very little of interest in life except evil?

"Why have churches—why have schools—and then let the screen, the greatest educator of all, undo the work of the churches and of the schools, and teach crime and licentiousness as the only worthwhile subjects of knowledge and interest? . . .

"Can we not have an NRA for the screen and the stage to compel these great influences to do their duty by society?

"Maintaining the morality of a nation is a proper governmental function.

"There never was a degenerate nation morally which did not become a degenerate nation in every other physical and spiritual aspect.

"There never was a nation which failed in moral fibre which did not soon fail in the fibre of patriotic manhood, in the ability to maintain and defend its national ideals, and eventually independence.

"A degenerate nation is always absorbed by some more vigorous and wholesome nation.

"It is nature's unvarying rule of the survival of the fittest politically.

"But our nation is not a degenerate nation, and our greatest obligation to ourselves and to the world is to see that it does not become so.

"This obligation should not be left to chance or to the scattered effort of well meaning individuals.

"It is a duty of government.

"Let government do its duty.

"Let it enable ourselves and our families to see something else on the screen except harlots in the morning, strumpets at noon, and courtesans at night.

"When an American husband takes his family to the theatre, he ought to be certain that he is not taking them to a house of ill fame."

### COMMENT FROM EUROPE ON DIRTY ADVERTISING

In the English trade papers there appeared recently an advertisement of "I'm No Angel." It consisted of a picture of Mae West, at the lower part of which there was the following wording:

"Come up and see me sometime—I'm No Angel."

A friend of mine, who was in London recently, has written me the following from Paris:

"In your issue of October 14 you have a paragraph headed: 'Paramount Going Dirty.' I herewith enclose a fine specimen of their latest in London.

"The moment I saw this picture and read the words, I was shocked, if one can be shocked in the film business! There is no doubt about the double-meaning.

"The trade papers in which this advertisement appeared are sold by subscription; but they may be obtained also by the public, and are indeed more or less displayed in two or three popular bookstalls in the West End, London, particularly in 'theatre land,' and actually in Shaftesbury Avenue. Although I cannot vouch for its accuracy, I hear from London that this advertisement has been sought after by proprietors of bars (and of worse places) to hang up for the amusement of clients.

"What do you think of it?"

### "LITTLE WOMEN" BREAKING ALL RECORDS

"Little Women," the RKO picture with Katherine Hepburn, is breaking all records at the Music Hall, in Radio City, where it started its engagement Thursday, last week. On Saturday afternoon, there was a line that extended from Sixth Avenue to Fifth Avenue, three or four deep. The crowd was, in fact, so thick that employees of the theatre begged many of them to leave on the ground that it would be impossible to accommodate them before several hours were over. But none would budge. Remember that the Music Hall has 6,200 seats.

The success of this picture is a great gratification to me, for it proves right the battle for clean and wholesome pictures that I have been waging ever since I founded HARRISON'S REPORTS. The success of the few sex pictures were pointed out to by the producers to sustain their policy. "Little Women," demolishes the arguments that nothing but pictures of the type of "She Done Him Wrong" and "I'm No Angel" can prove successful at the box office. I venture to say that, in the history of the business, no sex picture of other than the roadshow class has made a success that will equal the success "Little Women" will make, even though there is not a single salacious suggestion in it.

"Little Women" will, I believe, do more to cleanse the screen than anything that has been done by any person or group of persons, censorship, legal and gratuitous, included: it will prove to the producers that pictures that are free from sex situations or "smutty" talk can bring to the theatres more people than the dirtiest picture that has ever been produced.

It is about time that the producers got onto themselves: they have had two examples now: "Little Women" and "Three Little Pigs."



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### BLOOD MONEY — No. 2

"THE LATE CHRISTOPHER BEAN": Every drama, comedy, or comedy-drama conveys some sort of moral. Some of the times such a moral is concealed so deeply that it is almost unrecognizable; at other times it is plainly evident. The protagonist of the play (either hero or heroine) is the exponent of the moral.

In "The Late Christopher Bean" Mr. Lionel Barrymore, who is the hero of the piece, is endeared to the spectator as a patient, home-loving doctor, genial and sympathetic, tolerant to the extreme. About the middle of the play there is planted in his heart and mind the most vicious sort of greed that has ever been seen in pictures. When he finds out that the pictures that the late Christopher Bean had painted were worth a fortune, he attempted to cheat Marie Dressler by making an effort to induce her to sell him one of Bean's valuable paintings she possessed for a pittance. Selfishness and greed come to the surface in all their ugliness.

A situation such as this is vicious; it is demoralizing. But one is wasting his energies in asking the producers in Hollywood to be ethical. For gold they would wreck the entire nation.

"POWER AND THE GLORY": It is implied that the hero's son had had an illicit affair with his stepmother, from which affair there was a child. When it dawns on the hero what had happened, he kills himself. How can any human being, least of all an experienced producer of motion picture entertainment, ever imagine that an episode of this kind can be accepted by the amusement-seeking public? Famous dramatists have stated that an immoral incident in a play may be forgiven when an immoral purpose will not. This incident, however, surpasses the forgivable stage; it offends, in fact, it shocks, what has been inculcated into man from time immemorial. Sex relationship between persons related closely by ties of blood or of marriage outrages people in drama as much as it does in life. But it is easier for us to find a needle in a haystack than such niceties among the producers in Hollywood.

"FEMALE": A glorification of loose living; it is surrounded by so much class that the average young woman will say to herself: "Why shouldn't I do the same thing?" I have heard that Harry Warner is willing to help the Code Administration to make the production of immoral books impossible. Are there two Harry Warners in the picture industry?

"THE MAD GAME": The idea upon which this picture has been founded is the taking up of kidnapping by some racketeers after the destruction of their beer racket by the repeal of prohibition. It is a dangerous theme, but it has been handled well by Fox and its pernicious influence is neutralized. But who can say that if this picture made a success the pictures that will be made on this pattern will be handled as successfully? Can we forget what happened with the gangster pictures? I sincerely hope that this picture will not make a "howling" success, for if it does, the efforts of our Government to stamp out kidnapping will be neutralized, and the crime augmented. Why should the producers undertake such subjects when millions of good pictures can be made of old themes by new treatment?

"ACE OF ACES": The hero, from an idealist, abhorring war, turns into a most bloodthirsty war ace. Imagine what a world this would be if we were to emulate this hero's example!

"BROADWAY THROUGH A KEYHOLE": It glorifies a gangster, for it shows him defending virtue. Demoralizing in the extreme.

"ONE SUNDAY AFTERNOON": In one situation the hero is shown as having murder in his heart; he felt as

if he should murder the man who had stolen the girl he was about to marry.

"ESKIMO": The skipper of a brig, a white, forces an Eskimo woman to surrender to him; he first gives her liquor to drink, and she becomes intoxicated. There is a close-up showing the Eskimo woman in bed, intoxicated but still drinking whiskey at the urging of the white man. It is a situation so vile that many friends of mine were wondering why our New York State Censorship Commissioner approved the picture without deleting the scene. Mr. Esmond is very strict when he censors pictures of independent producers, but very liberal when it concerns pictures of the major companies, particularly Metro-Goldwyn-Mayer.

"THE STORY OF TEMPLE DRAKE": The plot of the book "Sanctuary" upon which this picture was founded was not followed faithfully; the scenes of implied degeneracy were eliminated. But this did not improve matters. The scene in which the villain is shown entering the part of the barn where the heroine had taken refuge is too revolting; just as he was about to approach her the scene dissolves and the heart-rending scream of the helpless heroine is heard. At the trial of an innocent man for murder, she is compelled to reveal what had happened to her. It is too revolting for words. I tried to induce Paramount to give up production of it but I was not successful; I was told by a certain Russell Holman that since I had not read the script I could not be a competent judge; moreover, he said, Dr. Wingate, former New York State Censorship Commissioner, now employed by the producers on the Coast, had read and passed the script. The picture made a miserable failure, because it proved insulting to human intelligence. The situations that were expected to appeal to the sexual passions left even those who seek sex entertainment unmoved.

These are only a few more pictures of the sort that wreck the happiness of people. The fact that they have proved unprofitable should be the best proof that the amusement-seeking public cannot stomach them. It is producers with a foggy mind that think the public will like them. Even if such pictures were to prove box-office success, money made out of them is blood money, for they appeal to all that is base and low and vile in human nature.

HARRISON'S REPORTS is opposed to censorship, state or Federal, because it believes that censorship cannot cure the evil. What we need is more character in the producers of pictures. But this we shall not have until younger blood has been brought into the industry to take the place of the fossilized old blood. There is character among the graduates of our colleges and universities of the present generation. But how can we attract them when the old fossils are still in control? Perhaps the bankers who have millions invested in this industry will give this suggestion some thought.

### THE PRODUCERS AND THE HELP THEY GET FROM THE THEATRES THEY OPERATE

Last month Mr. Adolph Zukor gave an interview in *Motion Picture Daily* about the part the theatres owned by the producers played in preventing collapse in this industry. "The obligation of large producers to protect investments in their corporate owned and affiliated theatres by delivering to them a consistent supply of good pictures throughout the recent years of business depression," says part of Mr. Zukor's statement, "saved the world motion picture industry from collapse during 1932." He said that had the producers been free of theatre ownership in the few years past they would have been free, likewise, of the obligation of delivering the best pictures of which their facilities were  
(Continued on last page)



**"Havana Widows" with Joan Blondell and Glenda Farrell***(First Nat'l, November 18; running time, 62 min.)*

A pretty good program comedy of the gold-digger variety. Some of the situations, although a little suggestive, particularly where Joan Blondell and Glenda Farrell attempt to put Guy Kibbee in a compromising position, are very funny, and the wisecracks will arouse laughter. The closing scenes are wild, noisy and hectic, and even though they are a little silly one cannot help laughing. Allen Jenkins is an amusing character because of his dumbness in trusting Joan and Glenda, who give him a hard luck story about needing fifteen hundred dollars to give to Joan's mother in Kansas for an operation. What they really wanted the money for was to go to Havana to attach themselves to millionaires, for they had heard that millionaires were there by the dozens.

The fun starts in Havana when they cannot catch a millionaire and find themselves without funds and with a bill due the hotel for more than six hundred dollars. They get in touch with Frank McHugh, a drunkard, who had a reputation of being a good lawyer in breach of promise actions, and arrange with him to compromise Guy Kibbee, a wealthy old man, so as to collect some money from him. Joan is rather averse to entering into their plot because she had fallen in love with Lyle Talbot, Kibbee's son, but Joan felt she could not desert her pal, Glenda, and joined in their plans. In the meantime Allen Jenkins, when he found out he had been cheated, followed them to Havana. Another reason for his Havana trip was his having forged his chief's name to the check for the money he had given the girls and he was afraid of being killed. After a hectic endeavor to trap Kibbee they are all arrested and released on condition that they leave Havana. Jenkins' boss finds him and tells him he forgives him; asks him to return to the gambling establishment because his luck had been bad ever since he had left. Joan marries Talbot, Glenda marries Jenkins, and they all leave for New York happy.

The plot was adapted from a story by Earl Baldwin. It was directed by Ray Enright. In the cast are Ruth Donnelly, Hobart Cavanaugh, Ralph Ince, Maude Eburne, and others.

It is all done in such a silly way that it is doubtful if it is harmful to children, or for adolescents or Sundays; but an exhibitor will have to use his own judgment about this.

**"Christopher Bean" with Marie Dressler and Lionel Barrymore***(MGM, November 17; running time, 88 min.)*

Because of the presence of Miss Dressler and of Mr. Lionel Barrymore, the picture entertains well in the first half. The second half, however, falls down considerably because of the exposition of selfishness on the part of Mr. Barrymore, for he is shown as attempting to cheat Miss Dressler of a large sum of money from the sale of valuable paintings, the value of which Lionel knew but of which Marie was ignorant. Lionel had been offered twenty-five thousand dollars for one painting but he was offering Marie only fifty dollars. Since the acts of the protagonists in a play are supposed to stimulate the audience to emulation, Lionel's change of character is demoralizing. On the whole, the picture will get by; but if any one thinks that it will approach "Tugboat Annie," he will be disappointed.

The story revolves around the following idea: After the death of Christopher Bean the artistry of his paintings is recognized and a big price is offered for them. A story, printed in a magazine, giving details of his life and death, sends two fakers to Lionel Barrymore, who had helped Christopher Bean with money. The first faker poses as an intimate friend of Christopher Bean and generously pays Lionel the small debt Bean owed him. Lionel is naturally pleased. The arrival of the second faker makes Lionel Barrymore realize he had been duped. The Metropolitan Museum offers a large sum for the paintings. Lionel finds out that his cook (Marie Dressler), who was resigning after a service of nineteen years with the Lionel family, held one of the paintings and the Lionel family conspire to take it away from Marie. But Marie held the painting as a keepsake and would not part with it. Cajolings and even intimidations have no effect on her. Through conversation carried on between Lionel and Marie, Lionel finds out that Marie held a large number of Bean's paintings. He makes her give them to him. But the disclosure by Marie that she is Mrs. Bean compels Lionel to hand the paintings back to Marie again, to the great discomfiture of the Lionel family.

The plot has been taken from Sidney Howard's adaptation of the Rene Fauchios play; the direction is by Sam Wood. Helen Mack, Russell Hardie, Jean Hersholt, H. B.

Warner and others are in the supporting cast.

Children will like it; and so will adolescents if you forget the demoralizing part of Lionel's act; likewise for a Sunday showing.

**"Duck Soup" with the Four Marx Brothers***(Paramount, November 17; running time, 70 min.)*

Good entertainment. It is as funny and nonsensical as the preceding Marx Brothers pictures; it should be thoroughly enjoyed by those who like this type of comedy. As usual, there is no sense to the story, or to what they do, but they are so comical and "pull" so many gags that the audience is kept laughing throughout. One of the funniest scenes is where Harpo and Chico, who ran a peanut stand, tease and torment Edgar Kennedy, who ran a lemonade stand. They pinch him, kick him, and finally burn his hat. Kennedy throws over the peanut stand thinking he had put an end to them. But to his amazement Harpo jumps on his stand and starts bathing his feet in the lemonade bowl; this drives all Kennedy's customers away. The war scenes, too, are extremely comical; they show Groucho changing his costume every few minutes, but doing no actual fighting.

This time the action takes place in a mythical kingdom. The wealthiest woman of the town likes Groucho and so she insists that Groucho be made dictator, otherwise she threatens that she will refuse to lend money to the government. And so Groucho becomes dictator, disrupting the usual procedure of the cabinet and forcing them all to resign. Louis Calhern, an ambassador from a neighboring country, is out to marry the wealthy woman, and thus take over her fortune and her country. He wants Groucho out of the way and engages Raquel Torres to vamp Groucho. He engages also Chico and Harpo to act as his spies and watch Groucho. They become all mixed up and before one knows it they are working for Groucho. Finally war is declared between Calhern's country and Groucho's country because Groucho had insulted Calhern. Groucho's army, with little help from him, win the war and Groucho falls in the arms of his wealthy admirer.

The plot was adapted from a story by Bert Kalmar and Harry Ruby. It was directed by Leo McCarey. In the cast are Margaret Dumont, Verna Hillie, Leonid Kinsky, Edmund Breese and Edwin Maxwell.

Suitable for children, adolescents, and for Sundays.

**"East of Fifth Avenue" with Wallace Ford and Mary Carlisle***(Columbia, October 20; running time, 74 min.)*

Mediocre program fare. The story drags, and the acts of the characters do little to arouse any sympathy for them, with the exception of Walter Connolly and Louise Carter, two old people who loved each other dearly and looked forward to going back to England to live in their own home. But the other characters are spineless. For instance, Wallace Ford, after having been intimate with Dorothy Tree, runs off and marries another girl (Mary Carlisle). He does not know that Dorothy is going to have a child. Dorothy goes around moping when he returns with a wife, and when he finds out the cause of it, he does not think he is the guilty person, accusing her of being no good. His wife, Mary Carlisle, carries on an affair with one of the lodgers in the rooming house, and eventually runs away with this man, taking all of Ford's money with which he had planned to go into business.

But the worst situation of all is the one in which Dorothy Tree, in order to help Wallace Ford get some money together, takes the one thousand dollars the old couple had saved; her intention was just to give it to Ford to bet on a horse which he knew was a sure thing, and then return the money to the couple. The fact that he might have lost the money, thus depriving the old couple of their chances to go back to England, did not concern her. As a matter of fact this incident brings about the death of the old woman, who had noticed that the money was gone but did not see the note that Dorothy had left explaining the matter; she had died from shock. And when the husband finds her dead he takes poison, and he, too, dies.

Eventually Wallace Ford realizes how worthless his own wife was and is happy to know that he is the father of Dorothy's child. He and Dorothy are united.

The plot was adapted from a story by Lew Levenson. It was directed by Albert Rogell. In the cast are Willard Robertson, Walter Byron, Lucien Littlefield, Maude Eburne, Harry Holman and Fern Emmett.

Not suitable for children, adolescents, or for Sundays.

SUBSTITUTION FACTS: In the worksheet "East of Fifth Avenue" is described as a story by Fannie Hurst. It is a story substitution.



**"Carnival Lady" with Boots Mallory***(Goldsmith Prod.; running time, 67 min.)*

A moderately entertaining program picture. In the beginning its movement is slow, and the acting is rather listless; but it picks up a little in the second half. The most exciting feature is a diving act in a carnival show in which a man jumps from a height of one hundred feet into a tub of water five feet deep. Some sympathy is felt for the hero and the heroine, and the closing scenes hold one in fair suspense because of the death of one of the performers; one fears lest this involve the hero. The carnival atmosphere might be enjoyed by some audiences:—

When the hero loses his fortune he takes to the road and picks up two companions. With them he joins a carnival, and when the performer in the high-dive act is injured he takes his place. The heroine, a singer in the carnival, falls in love with the hero as he does with her. They go out together one night and meet some of the hero's former friends. The hero refuses an easy position from one of his friends because he does not want to leave the heroine. His friends induce her to give him up. The former performer, fully recovered, returns. In a quarrel with one of the hero's pals he is knocked out and hits his head against a board; he dies. The hero covers this up to make it appear as an accident. He induces the heroine to leave the carnival with him. They marry and his friends learn to respect her.

The plot was adapted from a story by Harold E. Tarshis. It was directed by Howard Higgin. In the cast are Allen Vincent, Donald Kerr, Rollo Lloyd, Gertrude Astor, Jason Robards, and others.

Suitable for children, adolescents, and for Sundays.

**"Design for Living" with Miriam Hopkins, Gary Cooper, Fredric March and Edward Everett Horton***(Paramount, December 9; running time, 90 min.)*

Cultured audiences should enjoy this picture, but the masses should be bored by it. It is a high comedy, with the appeal directed chiefly to sophisticated men and women. The direction and the acting are excellent but the action is too slow for the picture-goer of the rank and file. The plot has been taken from Noel Coward's play. Most of the sex suggestions have been either eliminated or treated with a delicate hand—so delicate, in fact, that many young folk will miss the point. But there is no mistaking the fact that a woman, who had befriended two men, one a playwright and the other an artist, lived first with the one and then with the other, finally leaving both and marrying a third—a business man, with whom she had been friends before she had met the other two, in the end to leave her husband to follow the two friends.

Ernst Lubitsch directed the picture with skill. The acting of the four principals is artistic.

Unsuitable for either children or adolescents, and not a good Sunday show.

**"Counsellor At Law" with John Barrymore***(Universal, Dec. 4; running time, 81 min.)*

Good entertainment. It has an abundance of human interest, fast action and situations that hold one in tense suspense. Even though the story unfolds entirely in a law office, the audience never has the feeling as if the action is confined to one certain spot for the characters move around from room to room, and there are several good character studies of people who work in the office and others who visit the office. The suspense is sustained throughout because of the dangerous position John Barrymore finds himself in as the result of a kind but shady act he had once committed to save a man from a life sentence; he had established a false alibi. But this does not lessen the sympathy one feels with him because it was more of a human act of kindness rather than one of crookedness. The closing situation comes as a pleasant surprise; Barrymore obtains information about his enemy with which he forces him to abandon his efforts to disbar him. Bebe Daniels, Barrymore's secretary, is a sympathetic character, as is Barrymore's mother, for they are both devoted to him in an unselfish way. There are some good comedy situations that should arouse laughter.

Barrymore, a famous Jewish lawyer, is happily married to Doris Kenyon, a Christian society woman, mother of two children from a former marriage. Although he loves her he senses that he does not receive the proper sympathy from her or her children. A politician friend informs Barrymore of the fact that a certain lawyer was going to make an effort to have him disbarred. He had raked up facts about an old case that Barrymore handled in which he used a false alibi to free a poor man who had promised to go

straight. Barrymore is forced to postpone his contemplated trip to Europe with his wife, but she tells him she will sail alone so as to avoid being mixed up in the scandal. By having this man shadowed, Barrymore obtains evidence that he was leading a double life; thus he forces the lawyer the withdraw disbarment proceedings. He telephones to the ship to ask his wife to get off so that they might sail together a few days later, but she refuses. He then realizes she was leaving him for good and that there was another man in her life. Alone in the office he is just about to jump out of the window when Bebe Daniels, who had gone back, screams. This brings him to his senses. And a telephone call from a very prominent man who wanted him to handle a murder case brings back his interest in life. He joyfully leaves the office with Bebe.

The plot was adapted from the Play by Elmer Rice. It was directed by William Wyler. In the cast are Onslow Stevens, Melvyn Douglas, Isabel Jewel, Thelma Todd, Mayo Methot, and others.

Suitable for children, adolescents, and Sundays.

**"The Worst Woman in Paris" with Adolphe Menjou and Benita Hume***(Fox, October 20; running time, 76 min.)*

Mediocre! It is almost amateurish in story and presentation; it drags during most of its unfolding, and just barely holds the interest. The action never strikes a note of realism. The story is thin, and the characters do little to win the sympathy of the audience. It is only in the closing scenes that one feels some sympathy for Benita Hume, when she sacrifices love and marriage with a good man for another man who had once been kind to her and now needed her help:—

Benita Hume, a resident of Paris, is Adolphe Menjou's mistress. She had a reputation of being a very bad woman. Menjou had given her jewels and money and she saved enough to feel quite independent. So when Menjou hints at the fact that he should like to be free she gladly consents to this and sails for America. While on a train bound from New York to the west there is an accident and Benita is quite heroic in assisting people. She is injured herself, and is taken to the home of one of the town residents, a school teacher Harvey Stephens, and his mother. Stephens and Benita fall in love with each other, and she inspires him with confidence in himself. She agrees to marry him. But her plans are all upset when she reads an item in the paper that Menjou had lost his fortune and was down and out. She realizes that she is not the woman for Stephens, and so she leaves him, and goes back to Paris and Menjou. She gives Menjou all her jewels and money to go back into business again and with this aid he is able to recoup his fortune. The gossip in Paris is that Benita had left Menjou when she knew he was going to lose his fortune and she had come back when he had regained it. Benita and Menjou marry, but this does not stop him from carrying on flirtations with other women.

The plot was adapted from a story by Monta Bell and directed by him. In the cast are Helen Chandler, Margaret Seddon, and others.

Not for children, adolescents, or for Sundays.

**SUBSTITUTION FACTS:** In the worksheet Myrna Loy is promised as the star. In the finished product Benita Hume has the leading role. It is, therefore, a star substitution.

**"The Chief" with Ed Wynn***(MGM, Nov. 3; running time, 65 min.)*

If this picture was produced for the amusement of two-year-olds, it serves its purpose; it certainly cannot be classed as adult entertainment. It is clean enough, but that is as far as it goes; the story, even for a comedy, is exceedingly silly, the action is slow, and only occasionally does it arouse any laughter. It is just an ordinary program comedy that will probably amuse the children because of the antics of Ed Wynn, who wrestles a bear, makes silly speeches, does the wrong thing at the wrong time, and behaves like a simpleton. His jokes are old, the comedy weak, and the whole thing rather amateurish. The closing scenes, showing him at a broadcasting station, reveal the fact that the whole story was just a broadcast given by Wynn.

In the story Wynn is a bashful man who becomes a hero and a fire chief through an accident and not because of any real bravery on his part. He is nominated for office to run against a tough gangster.

The picture was directed by Charles Riesner. In the cast are Chic Sale, William Boyd, C. Henry Gordon, Mickey Rooney, Purnell Pratt, George Givot and others. (Out-of-town review.)

Suitable for children, adolescents, and Sundays.



capable. In other words, Paramount did not produce good pictures previously to the time it entered the exhibition field, because it saw no reason, as I interpret his statement, to do so, since it wasn't Zukor's ox that was gored when theatres showed poor pictures.

It may be recorded here that Paramount made its best pictures in 1917, when it did not own a single theatre, and the worst in 1931 and 1932, when it owned the largest number of theatres that will be gathered again into a single circuit either by Paramount or by any other company.

The ownership of theatres, instead of helping the producers make better pictures, handicapped them to such an extent that they made worse pictures, for their attention was devoted chiefly to the theatre headaches instead of employing it exclusively for the production of pictures.

Even if by some chance the theatre owning producers had made their better pictures during the period that they controlled the largest number of theatres, still theatre ownership by producers of pictures would not have proved sound in principle, for when a person is compelled to divide his energies between too many ventures he cannot give the proper attention to any of them. Mr. Zukor knows this too well; and so does Harry Warner, who set out to own not only theatres, but also every sort of manufacturing business that was needed to supply these theatres with what they had to have. Had the market crash been delayed one or two more years, he might have taken in even grocery stores.

But it cannot work, as it has been proved conclusively since the market crash, not only because the Home Office executives had to divide their attention among too many enterprises but also because of the lack of man power to operate these theatres efficiently. The abuses that took place in the operation of theatres by the large companies are too well known to every one connected with the picture industry to need re-enumeration.

The fact that every company that owned a large number of theatres collapsed is the best proof that theatre operation by film companies is unsuccessful. Look at the stock market quotations of the theatre owning film companies, compare them with the highest that such stock had reached, and you will be convinced of the unsoundness of Mr. Zukor's theories.

Some one may say that what has happened to film stock has happened to the stock of all other industries. That is true; but Mr. Zukor states that the producers were enabled to "protect" their theatre investments by being able to deliver to these theatres better pictures, when in fact they neither delivered better pictures nor saved those investments. Ask any one who once owned moving picture stock, or who still owns such stock, and he will inform you whether the investments represented by the stock he held or still holds have been saved or not.

The moving picture industry will never be right until the producers have divested themselves of all theatres except the "show windows." It is against sound principle and serves only to perpetuate the chaos.

## THE CASE OF MGM'S "THE DANCING LADY"

Many exhibitors, holders of 1932-33 MGM contracts, have asked me whether they are or are not entitled to the Metro-Goldwyn-Mayer picture, "The Dancing Lady," with Joan Crawford; since they have a Crawford picture still coming, they feel that they are entitled to it. Most of these exhibitors have informed me that as late as the middle of November they had been notified by the MGM exchange of their zones that this picture is theirs. One of them, from Illinois, has written me as follows:

"I am enclosing herewith a letter just received from the booker St. Louis Metro-Goldwyn-Mayer exchange, cancelling our booking of 'Dancing Lady' and advising that this picture will be released as No. 432 on the 1933-34 contracts.

"The 1933-34 contracts have been sold by Metro to a competitor of ours. This picture 'Dancing Lady' had been booked into our theatre under the production No. 313 some weeks ago on our 1932-33 contract. . . ."

The 1932-33 MGM contract form contains the following provision under the Schedule: "It is further understood and agreed that the Distributor may release at any time, and independently of this agreement, an additional photoplay of any star listed in the Schedule (but not more than three such additional photoplays altogether during the terms of

this agreement); and nothing in this agreement contained gives the Exhibitor any right to any such additional photoplays. . . ." Accordingly, no holder of a 1932-33 MGM contract is entitled to "The Dancing Lady" as long as MGM saw fit to release it in the 1933-34 season.

But here is where injustice has been done: Before the picture was exhibited in Los Angeles, the heads of the distributing department of this company notified the exhibitors holding 1932-33 contracts that it is theirs; but when they showed it in Los Angeles and read the favorable criticism the reviewers gave it, they decided to take it away from them and sell it with the 1933-34 group so that their salesmen might be enabled to demand more money for their entire product. Had the picture turned out poor they would no doubt let the 1932-33 contract holders have it.

Ever since the practice of selling production numbers was adopted, HARRISON'S REPORTS has not ceased warning the exhibitors of the danger of such practice. By means of it the distributor is enabled to withhold good pictures and to deliver the mediocre ones, and the exhibitor is impotent to reject them, for he has no way of identifying his pictures.

The third revision of the Code is deficient on this point in that it makes it possible for the producers to continue this pernicious practice. The Code Administrator should be acquainted with it just as he should with that other practice, indulged in by Warner Bros., in such pictures as "Gold-diggers of 1933."

The producer-distributor should be made to deliver whatever pictures he owes before undertaking to make pictures for another season. It is the only way whereby abuses of this kind may be prevented.

## WHAT WILL BE DONE WITH LEE TRACY?

Because of the idolizing done by young folk of screen players, whatever such players do in public affects the minds of the young. This makes it necessary that the conduct of the screen players be exemplary. No matter how they behave in private, in public they must act like Caesar's wife.

If a screen player must display an exemplary conduct in his public life in the United States, he must do doubly so in a foreign country, for conduct of another kind reflects upon the entire United States; the people of that foreign nation hold us in ridicule if the actor, or an American of any other profession, for that matter, should act disgracefully.

You have all read in the newspapers, I believe, of the disgraceful conduct of Lee Tracy while in Mexico. According to the newspapers he, while in an intoxicated condition, appeared naked on the balcony of his hotel room and insulted the Mexican police. A girl of twelve happened to be outside.

As if that wasn't enough; when he, after his arrest, was released on his own recognizance, he boarded an aeroplane and fled the country. He did not have the courage to stand by what he had done.

Metro-Goldwyn-Mayer, if the dispatches in the newspapers are correct, did an honorable thing—it discharged him, and apologized to the Mexican Government.

Let us hope that this will be an example to other actors. And I believe it will if every film company should act as MGM has acted.

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## Benefits the Exhibitor Will Derive from the Code — No. 1

The first Code draft and the subsequent revisions drew fire from almost everybody. The major company representatives were dissatisfied, and the representatives of the independent groups were downcast because they felt that they did not obtain the reforms they were seeking. It was natural for them to feel that way. At first I myself shared their feelings. But a careful examination of the different provisions and an inquiry as to the reasons why this, that or the other reform had not been incorporated into the subsequent revisions disclosed a different picture entirely. The benefits the exhibitor will derive from the Code are many and could not have been obtained by them under any other order of things.

The credit for the sort of Code you have been given is owed entirely to Mr. Sol A. Rosenblatt, Deputy Administrator of the NRA. Administrator Johnson could not have selected a better representative to put the affairs of this industry in order, because Mr. Rosenblatt is thoroughly familiar with the industry. There have been times when the assignment proved more trying than many other strong-minded persons would have tolerated. Criticized by friend and foe in his effort to eradicate abuses that accumulated since the industry came into being, Mr. Rosenblatt did not lose patience but kept on with the hope that his sincerity and his desire to do something constructive for a wrecked industry would be recognized. I do not mind telling you that I myself criticized him at first because of the absence from the Code of certain reforms upon which we had all set our hearts and souls. But it did not take me long to realize that under the circumstances he did the best any other human being could have done. I have satisfied myself that he would have killed block-booking forthwith if he could. But could he kill it when at every turn he was confronted by court decisions and consent decrees, rendered during the Hoover and other administrations, that declared block-booking illegal when done concertedly, but perfectly legal when done individually by each company? There have been other conditions of similar and of other nature that made it impossible for him to give the industry one hundred per cent reforms at once.

But the door is not closed just because the Code has been signed by the President; after a trial of ninety days, the President may find it necessary not only to kill block-booking and blind-selling entirely, not only to establish the exhibitor's right to buy against any competitor, but also to introduce other reforms that will bring order out of chaos.

As far as you are concerned, I would suggest that you sign the Code immediately and show a spirit of co-operation to our President for his honest and sincere efforts to bring our industry, as he is trying to bring all other industries, out of the depression; and if you have a little spare time, send a few lines to Mr. Sol A. Rosenblatt, Room 4217 Commerce Building, Washington, D. C., and thank him for his efforts on your behalf. The least you can do is to offer him a word of cheer for the gruelling experiences he has had until he finally framed the Code the President has signed.

And while you are writing to Mr. Rosenblatt you may give him a list of exhibitor names as persons that can be trusted to act fairly and impartially as members of either the Grievance Board or the Clearance and Zoning Board.

Beginning with this issue there will appear in these columns an interpretation of the Code. The different provisions will be interpreted, not in the order they appear in the Code, but as is most convenient.

### DISTRIBUTION

**PART 1.** By this provision no distributor can induce an exhibitor to sign a contract with disadvantageous terms by threatening to build a theatre in his locality.

How beneficial this provision is every one of you realizes when you recall that from 1926 until about a year after the market crash many exhibitors were frightened into selling their theatres to a producer. In some instances the exhibitors sold their theatres and received stock as the price with the stipulation that they were not to dispose of such stock until a certain number of months afterwards; and since in many cases such exhibitors failed to obtain a guarantee that the stock would be purchased by the producer at the end of the prohibited period at the market price prevailing at the time of the sale, such exhibitors received very little for their investments because of the market collapse. No such calamity can again befall an exhibitor as long as this provision of the Code operates.

The true benefits of this provision will be realized by those who read the comment on Mr. Zukor's article about the benefits derived by such producers as own theatres, made in last week's issue, when they learn the motive that had prompted Mr. Zukor to issue that statement: Paramount has liquidated its theatre department. Where there were any bad leases, the receivers either cancelled these leases entirely or renewed them at advantageous terms. It is evident that Paramount is again ready to embark upon theatre operation perhaps on as large a scale as before. It is one of the failings of human nature that often we do not learn a lesson from our sad experiences. Paramount went broke because of its ambitious plans in the theatre field, and Mr. Zukor suffered great personal losses as a result of it. And yet he seems again to be drawn like a moth to the flame. Fortunately no producer representatives will again be able to call on exhibitors with film prices under the one arm and blue prints of a proposed theatre under the other.

**PART 2.** This provision prohibits employees of producer-distributors from using their position to favor one theatre against another. There were times, as was disclosed in these columns several years ago, when exchange employees bought an interest in a theatre and used their position to book in that theatre the films not only of their own company but also of other companies. With this provision in effect, the committing of such an abuse will no longer be possible.

**PART 3.** Paragraphs (a) and (b) of this provision prohibit the substitution of star, director or either novel, play or magazine story. Paragraph (c) provides that, when the producer finds it necessary to substitute a story, author, director or star in the middle of the season, he must make the fact known to the exhibitors by an advertisement, inserted at least in one national trade journal. Such a notice, however, shall not affect the rights of those who had already signed a contract; these contract holders may reject, if they so wish, the picture in which a substitution of one or more of the factors was made.

**PART 4.** Paragraph (a) of this clause makes it a violation of the Code should a distributor license pictures to a non-theatrical institution contrary to the restrictions, rules and regulations of a Local Grievance Board.

Paragraph (b) exempts army posts or camps, ships of the United States Navy, merchant ships plying between the United States and foreign lands, prisons, orphanages, hospitals and other institutions of similar nature.

**PART 5.** This clause prohibits a distributor from forcing an exhibitor to book more short subjects than he requires to complete his program on the days he shows that distributor's pictures. Newsreels are excepted, in this way: If it should be your policy to show only the two issues of a particular newsreel brand and you have already contracted for that brand, if another distributor wants you to book also his newsreels, as a condition of selling you his features, then you will have the right to take your com-

(Continued on last page)



**"Hoopla" with Clara Bow***(Fox, November 30; running time, 79½ min.)*

This is another version of "The Barker" which was produced by First National in December, 1928. The old version was good entertainment, but the present version is just a moderately entertaining program picture. The trouble with it is that there is little life in it, moving along slowly. Clara Bow does not appear at her best here either in acting or in appearance, and except for one or two dramatic scenes, the picture falls flat. There is some human interest in the father's affection for his son—one sympathizes with him when he loses his boy who marries Clara; the father felt that she was not the type of woman for his son. But this is not enough to hold the interest.

In the development of the plot Foster, a circus barker, gives up his sweetheart, Minna Gombell, when his young son, Richard Cromwell, joins the carnival show. Minna promises Clara one hundred dollars if she would vamp Richard and so leave the field clear for her with Foster. Clara starts out to interest the boy and ends up by falling in love with him. She marries him and Foster, who knew her to be a loose woman, is so angry that he throws them both out of the show. They go to Chicago where Clara works in a side show at the fair and Richard studies law. They are happy. Foster, through Clara's influence, is engaged as her "barker," and when he meets her he refuses to have anything to do with her. She convinces him, however, that she had been honest with Richard and is helping him with his education. Foster finally realizes that what she says is the truth and so there is a happy reconciliation.

The plot was adapted from the play by John K. Nicholson. It was directed by Frank Lloyd. Others in the cast are Herbert Mundin and James Gleason.

Suitable for children, adolescents, or for Sundays.

**"Son Of A Sailor" with Joe E. Brown***(First Nat'l, December 23; running time, 72 min.)*

A good comedy. Some of the situations are so funny that the audience will laugh uproariously, as, for instance, the one in which Joe E. Brown finds himself on a ship that was to be used by bombing planes as a target; he makes frantic efforts to warn the aviators to stop bombing it. There are spots in between that are a little draggy, and the story is thin, but there is enough comedy throughout to hold the interest fairly well. Most of it is brought about by the trouble Brown gets himself into because of his bragging ways—he boasts that he is a great fighter, bragging which prompts the commander of his ship to match him against a strong fighter in a championship bout; he wins by a stroke of luck. Another time he boasts about his intimacy with navy officers and then is brought face to face with them.

In the development of the plot Brown is given shore leave from his ship for one day. He is unsuccessful in his attempts to make appointments with several girls, until finally he is hit by an automobile driven by Jean Muir. She takes him to her country home and is amused when he boasts about his intimacy with naval officers. He is flabbergasted when she introduces him to the very men he had been talking about, for her grandfather was none other than the admiral. Brown is due back on his ship the following morning but he is prevented by the butler from leaving. He finally lands on an aeroplane that had been piloted by one of the guests. He does not know that the man was a spy, and that he had stolen important navy plans. When this man attempts to throw him out of the plane Brown hits the spy on the head, and the plane, guided by a robot control, is piloted back to the ship safely. But Brown did not trust this control and before the plane landed on the ship he jumped by means of a parachute and landed on a target ship which was later bombed by navy planes. He is rescued, and later receives a promotion for having captured the spy and recovered the plans.

The plot was adapted from a story by Al Cohn and Paul G. Smith. It was directed by Lloyd Bacon. In the cast are Frank McHugh, Thelma Todd, Johnny Mack Brown, Sheila Terry, Kenneth Thomson, and others.

Suitable for children, adolescents, and for Sundays.

**"Dancing Lady" with Joan Crawford, Clark Gable and Franchot Tone***(MGM, November 24; running time, 92 min.)*

Good entertainment. It is an elaborately staged musical, with all the elements that endow it with mass appeal. For

one thing, there is the combination of three popular stars—Joan Crawford, Clark Gable and Franchot Tone. Although there are no novel twists to the story, it moves fast, has human interest, and some excellent musical numbers, particularly the ones in the closing scenes, which are handsomely mounted. The comedy, too, is good. Joan Crawford appears at her best here; she sings and dances, wears the sort of clothes that appeal to women, and in general gives an effective performance. She wins sympathy because of her earnest efforts to become a star, by hard work; also because she stands by the man who had given her the first chance to attain success.

In the development of the plot Joan, with the help of Franchot Tone, a wealthy society man in love with her, is able to graduate from the ranks of burlesque to the chorus of a Broadway musical comedy. Clark Gable, the stage director, notices that she has talent and decides to star her in the show. She is tearfully grateful. However, he keeps taunting her about her rich friends and she does not know that he does this because he had fallen in love with her himself. Tone pleads with her to marry him. She tells him that if she should be successful her career will come first, but if she should fail, she will marry him. Tone buys off the producer to shut down the show. Left without work, Joan accepts Tone's invitation to cruise to Havana with him and with some of his friends. When she returns to New York she meets Gable and learns from him of the dirty trick Tone had played on them. She leaves Tone and goes back to the play which Gable had decided to put on with his own money. She is a hit. But her greatest joy comes when Gable proposes marriage to her.

The plot was adapted from a story by James Warner Bellah. It was directed by Robert Z. Leonard. Others in the cast are May Robson, Ted Healy, Winnie Lightner, Fred Astaire, Robert Benchley, Gloria Foy, Art Jarrett, Grant Mitchell and Maynard Holmes.

Suitable for children, adolescents, and for Sundays.

**"Sitting Pretty" with Jack Oakie, Ginger Rogers and Jack Haley***(Paramount, Nov. 24; running time, 74 min.)*

A fairly entertaining comedy, with music. Although it is not as elaborate as some other musical pictures that have been shown recently, it holds the interest throughout because of the good performances, the comedy, and also the tuneful melodies that are sung during the unfolding of the story. There is just one elaborate dance number and this comes in the closing scenes when a motion picture is being shot, and Ginger Rogers sings a song while the girls dance. There are several funny situations, one of the funniest being that in which Oakie and Haley try to sell their talents to Gregory Ratoff, an agent. Also entertaining is the situation in which Oakie and Haley, both drunk, burst into a fashionable drawing room where classical music is being played. Human interest is aroused by the friendship Haley shows for Oakie, even to the point of giving up a position so as not to embarrass Oakie, who had been discharged.

The story revolves around Oakie and Haley, two songwriters who hitch-hike their way to Hollywood from New York. At one of their stops they try to cash a check with Ginger Rogers, owner of a lunch room; they do not know that the check is no good or that the man who had given it to them was a lunatic whose passion was to hand out checks. They arrive in Hollywood, and soon Ginger arrives with her little brother. Since they are all broke they live together and try to make the best of things. Through a clever ruse Oakie and Haley are able to see a motion picture producer and prove to him that they have talent. They are making good money now but Oakie becomes enamored of Thelma Todd, an actress, and neglects his work for her. He is discharged and Haley refuses to work without him so he, too, is discharged. Oakie and Haley are pals again for Oakie had given up Thelma at Haley's insistence. They meet a director at a speakeasy and become chums. Through him they meet another producer and are engaged by him to write songs. Ginger is engaged as a star in the picture for which the boys are writing the music. Ginger and Haley are married.

The plot was adapted from a story suggested by Nina Wilcox Putnam. It was directed by Harry Joe Brown. In the cast are Gregory Ratoff, Lew Cody, Harry Revel, Jerry Tucker, and others.

There is a dance showing bare legs. For this reason you will have to use your own judgment whether it is suitable for children, adolescents, and Sundays or not.



**"The Ghoul" with Boris Karloff***(Gaumont-British; running time, 78 min.)*

A fair horror melodrama. It moves too slowly for a story of this type. Consequently, the interest lags. It picks up a little speed in the second half, and during that time suspense is sustained fairly well. The closing scenes, in which the hero and the heroine are trapped in a tomb, are the most exciting, particularly during the situation in which they notice what is presumably a stone hand moving. As is usual in pictures of this sort it has the eerie atmosphere, most of the action taking place in a dimly lit, creepy looking house.

The entire cast of "The Ghoul," with the exception of Boris Karloff, is British; the production, too, was made in England. The accents of some of the minor characters are a bit thick and it might be difficult for American audiences to follow what is said:—

Boris Karloff is the possessor of a rare jewel; he is dying and orders his servant to bury him with the jewel for he believed that with it he could achieve immortality. The doctor soon pronounces him dead; the servant steals the jewel before Karloff is placed in a specially built tomb. But there are others after the jewel; also interested are the hero and the heroine, the sole heirs of Karloff's estate. Not trusting the uncle's lawyer they decide to go to the house themselves. They are all gathered there one night when Karloff, who had not really died, gains consciousness and finds the jewel missing. He goes back to the house, a madman seeking the jewel. He finally recovers it, after killing one man, and goes back to the tomb, followed by the hero and the heroine. The door closes and they are trapped. Also in the tomb is a thief who was after the jewel. Karloff finally kills himself. Some dynamite that the thief had placed at the entrance door explodes and they are freed from the tomb. With the help of the police the jewel is finally given to the hero and the heroine as part of the estate. They had in the meantime fallen in love and are united.

The plot was adapted from a story by Dr. Frank King and Leonard Hines. It was directed by T. Hayes Hunter. In the cast are Anthony Bushell, Cedric Hardwicke, Ernest Thesinger, Dorothy Hyson, Harold Huth, and others.

It might frighten children; otherwise suitable for all and Sundays.

**"Hold the Press" with Tim McCoy and Shirley Grey***(Columbia, Oct. 25; running time, 59 min.)*

A fairly good program action melodrama. It holds one in suspense throughout because of the danger to Tim McCoy, a newspaper reporter, who decides to get the evidence against a gang of criminals. Some of the situations are exciting; as, for instance, the one in which McCoy and a young ex-convict, who had made an affidavit against the criminals, are followed by the gang when they leave in an automobile; the intention of the gang was to kill the two men. Fortunately they are saved when two motorcycle policemen give chase to the two cars which were speeding.

In the development of the plot McCoy, a newspaper reporter, has a hunch about a certain gang in the town. He purposely has himself arrested and sent to prison so as to get some information he needed to start working against the gang. He does get this and then leaves. In his work as a reporter he meets Shirley Grey and they become friends. He learns that her brother, an ex-convict, was being blackmailed by the gang who asserted that they had procured his freedom from the Parole Board. The boy willingly signs an affidavit. The head of the gang finds out about this and sends one of his henchmen to get the affidavit. Then his orders are to kill both McCoy and the girl's brother. But McCoy is wise to them. He gets all his informatoin together and the gang is rounded up, and arrested. McCoy and Shirley are married.

The plot was adapted from a story by Horace McCoy. It was directed by Phil Rosen. In the cast are Henry Wadsworth, Oscar Apfel, Wheeler Oakman, Samuel Hinds, Bradley Page, and others.

Suitable for children, adolescents, and for Sundays.

**"Eskimo"***(Metro-Goldwyn-Mayer; running time, 117 min.)*

An excellent picture for ethnographers, geographers, scientists and general educators, but boring for picture-goers of the rank and file. The picture has been photographed among the icebergs, the floating ice and the igloos

of the Arctic, and the principal characters are Eskimos, talking their language, which is interpreted by either titles or by a white. There are some thrilling scenes, such as, for instance, stampeding caribou, whale-fishing, with the huge whale trying to escape after being harpooned, a white bear swimming after a prized prey—an Eskimo, and the like. But lack of story makes these scenes only incidental. Besides, they have been seen in other pictures of this type many times in the past. There are some scenes that surpass in salaciousness anything that has yet been seen in pictures. A white skipper borrows the wife of an Eskimo. Though the lending of wives to guests is an Eskimo custom, it has been done in a vulgar fashion. The most vicious sex situation, however, is at another place where the white, while the Eskimo husband is away, forces the wife to go to his cabin. A close up shows the Eskimo woman in bed, naked from the waist up, and giggling as a result of intoxication. The giving of whiskey to an Eskimo, particularly to an Eskimo woman, is alone enough to condemn the producers, let alone what is implied by the act.

The main action revolves around an Eskimo brave, (hero), who kills the white skipper who had forced his wife to leave his igloo and to spend the night with him. The Canadian mounted police, who had established a post in that region, being ignorant of the customs of the Eskimos, seek to capture the murderer. The two police who had been detailed to capture him are half-frozen and the hero saves their lives. He is induced by them to go to the post. The two men are in sympathy with the hero but the Commander insists that the law take its course. When the Eskimo is told what will be done with him he escapes. The two men are again sent to capture him. When about to overtake him, the hero, followed by his faithful wife, goes deliberately out among the ice floes to perish.

The picture has been photographed magnificently. It was directed by W. S. Van Dyke.

Unsuitable for children, adolescents, and improper for Sunday showing.

**"The House on 56th Street" with Kay Francis and Ricardo Cortez***(Warner Bros., December 23; running time, 68 min.)*

Magnificently produced, but it cannot be considered entertaining, and much of the action is demoralizing, for the reason that the heroine serves twenty years in prison, becoming separated from her husband and from her child, and she does not become reunited with them, for her husband is killed in the war and after her release from prison she becomes a black-jack lady, that is, a card dealer in a gambling hall. But the worst part of it is the fact that she becomes a cheater. There are also two murders. The fact that in the closing scenes it is shown that she consents to become the mistress of a despicable character so as to avoid another arrest for murder and to live in the house which her husband had bought for her, but which had then been used as a gambling hall, robs her of whatever sympathy her noble act of protecting her own daughter of an accusation for murder brings to her.

After Margaret Lindsay, as the daughter, who is ignorant of her mother's identity, had shot and killed Ricardo Cortez, the gambler with whom Kay Francis had paired up, and who was telephoning to Lindsay's husband about her gambling debts, Miss Francis is shown wiping the fingerprints off the gun and the door knob, thus by her act planting in the minds of murderers how they can escape detection by the police after a crime. The worst part about it is the fact that no one pays for the crime, for Miss Francis, with the help of William Boyd, the owner of the gambling establishment, does away with the body. Of course, in a way, Miss Francis pays for this when Boyd demands that she remain with him and continue with her gambling as the price of his silence.

Another bad angle in the picture is the fact that one does not feel any sympathy for Miss Lindsay, who is shown as being a wilful, headstrong person, gambling away large sums of money, even though she knew that her husband strenuously objected to this and would even divorce her if he should find out about it. The fact that she regrets her actions later does not take away the bad taste of seeing a young girl losing her head completely in a gambling game.

The plot was adapted from a story by Joseph Santley. It was directed by Robert Florey. In the cast are Gene Raymond, John Halliday, Frank McHugh, Sheila Terry, Hardie Albright, and others.

Not suitable for children, adolescents, or for Sundays.



plaint before your local Grievance Board on the ground that it is against your policy to show more than two news-reel issues a week. The Grievance Board, after satisfying itself that such is your policy, will forbid the distributor from forcing you to book his newsreels before letting you have his features.

Though the divorcing of shorts from features does not go as far as you should like to see it go, half a loaf is better than no loaf at all.

PART 6. This provision prohibits the distributor from divulging your box-office receipts to another distributor, except to an Arbitration Board or to a Grievance Board when litigation arises.

You may remark that the distributors and their employees will not observe this provision, for they have not observed it heretofore even though such a prohibition was contained in the contracts. A prohibition under the Code, however, is not a prohibition under an ordinary contract; this time there are penalties to be imposed upon the violator without the requirement of a court order. For this reason, the distributors and their employees will, I believe, observe this prohibition to the letter.

PART 7. This clause prohibits the transfer of assets by a producer-distributor with the purpose of avoiding the delivery of pictures owed to exhibitors. An instance of this kind was that of Pathe which refused to deliver the Bennett, Harding and other pictures when it was absorbed by RKO.

PART 8. This provision compels the distributor to make an adjustment of the prices in case he should fail to deliver the entire number of pictures he sold when such prices had been allocated by him from a lump sum, provided the exhibitor has performed the terms of the contract.

The benefits of this provision will be understood thoroughly when one recalls to mind the many abuses the distributors have practiced on this question: some producer-distributors deliberately allocated low prices on pictures they did not intend to produce so as to bring the average on the pictures delivered higher. With this provision in effect, an end is put to such an abuse.

PART 9. Paragraph (a) of this provision prohibits a distributor from specifying the days on which flat rental pictures shall be shown by the exhibitor. It permits such distributor, however, to specify such days on percentage pictures.

This paragraph does not go far enough for the exhibitors, who should like to see the right of the distributor to specify such days abolished entirely; but, half a loaf is better than no loaf at all, particularly since the exhibitors are not prevented from continuing their efforts to have the practice abolished.

Paragraph (b) of this clause provides that, in case a percentage picture specified by the distributor to be played on a certain day is not, in the opinion of the exhibitor, suitable for such a day, then the distributor must, if the Grievance Board so decrees, relieve the exhibitor from playing that picture on such a day, provided the exhibitor sends his complaint to the Grievance Board within three days after receiving his play-date availability notice. In such a case the distributor shall have the right to designate another picture for that day, upon the same terms as the picture that had been withdrawn, and to designate other play-dates for the picture that had been withdrawn. But the selection of the new percentage pictures must be made from the list of the pictures that are of the percentage class in the contract. If he has not such a picture, he cannot designate a flat-rental picture in its place, making a percentage picture out of it.

PART 10. Under this provision a distributor cannot refuse to serve an exhibitor with features just because he believes that the exhibitor has violated the terms of his contract for shorts, or vice versa, provided such exhibitor has agreed to arbitrate all claims and controversies arising under all existing Optional Standard License Agreements between them. Not a bad concession.

PART 11. Where an exhibitor has contracted for more than fifty per cent of a distributor's product, the distributor (under paragraph "a") must offer to such exhibitor first any additional pictures he may produce during the season, provided, of course, that the exhibitor has performed the terms of the contract faithfully.

Paragraph (b) specifies that, if two exhibitors bought that distributor's product half and half and the distributor should release one additional picture, then such distributor

shall have the right to designate which of the two exhibitors shall have that picture.

PART 12. This refers to fire regulations and concerns only the distributors.

## EXHIBITORS

PART 1. In case an exhibitor enters into a selective contract for less than eighty-five per cent of a distributor's pictures, such exhibitor must reject the pictures not wanted not later than twenty-one days after the receipt from the exchange of the play-date availability notice. If he should fail so to make the rejection, then such pictures will be considered as if they had been selected.

The benefit of this clause to an independent exhibitor is apparent: heretofore the producer circuits, because of their influence, would delay the rejection of the pictures not wanted out of desire to embarrass the independent subsequent-run exhibitor. With this provision in operation, such an abuse will be made impossible.

PART 2. This clause prohibits an exhibitor from contracting for more pictures than he reasonably requires with the purpose of depriving his competitor of product.

Such an abuse was practiced not only by the affiliated but also by many unaffiliated exhibitors. This provision will put an end to it. It is a decided benefit to the entire industry.

PART 3, Section 1. This provision prohibits an exhibitor from lowering his announced admission prices by means of rebates in the form of lotteries, prizes, reduced script books, coupons, throw-away tickets, two-for-one admissions, or of any other device of similar nature, when it concerns pictures for which a minimum admission price is provided for in the contract. Because of the fact that the lowering of the prices of admission on a picture in one theatre affects all the subsequent-run theatres that are to exhibit such a picture, this provision has been framed with a view to preventing harm to the box-office receipts of such theatres, without restricting the right of an exhibitor from raising or lowering his admission prices as he sees fit. It is a good provision, intended to maintain high standards in exhibition by preventing cut-throat competition.

Section 2. This provision stipulates that in film centers where there has been a habit of giving rebates in the form of premiums such as gifts, or other articles of value, if seventy-five per cent or more of the theatres not affiliated with producer-distributors, and seventy-five per cent or more of the theatres that are affiliated with producer-distributors, vote to discontinue giving such rebates, the remaining exhibitors must comply with the decision. Each theatre shall have one vote, provided that it has been in continuous operation for some time; otherwise it shall not be entitled to vote.

The vote must be taken among the theatres of the entire exchange center and not among the theatres of a subdivision of that center. In other words, if a zone takes in parts of three or four states, the vote must be taken in all such part-states, because they are parts of the exchange center.

Section 3. In case an exhibitor, after a hearing, shall have been found by a local Grievance Board to have violated this provision, such Board shall direct all distributors not to sell such exhibitor any more pictures and to refuse to make deliveries on the existing contracts unless he ceases from violating it any further.

Section 4. This Section provides that where premiums have been voted out of a locality, the prohibition shall not take effect until ninety days after the voting took place.

*(To be continued next week)*

## FOR THE CODE ADMINISTRATOR

I have been informed reliably that the general sales managers of the different major producer-distributors have sent out an order to their branch managers asking them to send to their home offices a list of such exhibitors as could be trusted, their intention being to recommend these exhibitors for places on the Grievance and the Clearance and Zoning boards.

The offense is aggravated by the fact that it was committed before the President signed the Code. They thus broke faith with the President.

Harrison's Reports takes this opportunity to protest against the unethical conduct of these persons and demands that an inquiry be made to disclose the identity of the general sales managers who have committed this unethical act and to obtain from them the names of the exhibitors that have been recommended to them by their field forces as "trustworthy."



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### Benefits the Exhibitor Will Derive Under the Code-No. 2

Fortune, that fickle lady, has certainly strange ways of working sometimes. She has exhibitor leaders protesting against the very same thing the big producers have protested—the Executive Order, issued by the President at the time he signed the Code.

Last week the representatives of the big companies, led by Mr. Hays, called on President Roosevelt and asked that this Order be modified in certain respects so that it may not grant to the Administrator dictatorial powers.

For years the big producers have been ruling the industry under the most despotic system that could have ever been invented; they exercised the right of forcing exhibitors out of business either by sale or by abandonment of their theatres and have never felt that it is bad for any one person or small group of persons to exercise such a power. But now that the government has undertaken to exercise it for the benefit of the majority of those engaged in the industry, they are squawking.

They have complained against Article (1) of the Code, which grants to the Code Administrator the right to review, and if necessary to disapprove, any act taken by the Code Authority, or that of any committee created by it, and that of any Local and Clearance Board, or of any Grievance Board; against Article (2), which grants to the Administrator the right to remove forthwith any member, or the alternate of any such member, of the Code Authority, or a member of any board created by such Authority, if such member has, in the Administrator's opinion, failed to be fair, impartial, and just, and to appoint another member from the class to which the removed member belonged.

Those exhibitor leaders have objected to these articles of the Code on the ground that the Code Administrator may employ them to the detriment of the interests of the independent exhibitors, benefiting the big producers thereby. Personally I would trust dictatorial powers under President Roosevelt rather than under the big producers. Under a dictator appointed by the President, the independent exhibitor at least has some opportunity of getting justice, whereas he has no opportunity at all under the dictatorial powers of the big producers, as we have learned by experience.

How can any exhibitor feel that his interests will be ignored under the dictatorship of the Code Administrator when in the last ten years the big companies have been repeatedly found violating the Sherman Act and not only were they not punished but were encouraged by previous administrations to continue violating it? One of them went so far as to have records of the Department of Justice changed so as to evade the law.

It is hardly necessary for me again to urge you to sign the Code, for in addition to bringing many benefits to you it is now the law of the land. Sign it and show our President that you are lending him your moral support in his efforts to extricate the nation from the slough of depression it has been wallowing in the last four years.

**PART 4:** This clause prohibits an exhibitor from transferring his theatre for the purpose of getting rid of contracts. The Local Grievance Board shall rule when a transfer had been made for such a purpose, and the findings of such a Board shall be binding.

**PART 5:** This clause prohibits a subsequent-run exhibitor from advertising publicly a picture, before such picture had been shown at the prior-run theatre. Where such a restriction is deemed by the subsequent-run exhibitor to work unfairly for him, he shall have the right to submit a complaint to his Local Grievance Board and the Board, after a hearing, shall modify this provision, but in no event

shall the subsequent-run exhibitor advertise such a picture prior to the commencement of the exhibition at the prior-run theatre, nor shall he indicate in any manner that his admission prices are lower than those of the prior-run exhibitor for such motion picture. If the subsequent-run exhibitor follows the run of the prior exhibitor within a period of seven days, he may be granted the right to advertise the picture upon his screen, or to distribute within his theatre a printed program, or to mail such program to a list of regular patrons. Such programs, however, must be limited to an announcement of the motion pictures which will be exhibited at that theatre during the period of seven days maximum immediately following. But nothing in this provision shall prevent an exhibitor from advertising generally all the pictures he is to play at future dates as a group as long as no reference (other than that permitted by this clause) is made in such advertisement to any particular picture prior to its exhibition at the prior-run theatre.

**PART 6:** When a lease of a theatre is about to expire and the lessee is negotiating with the landlord for a new lease or agreement, this clause prohibits another exhibitor from interfering with such negotiations with the object of depriving such lessee from the continued operation of that theatre.

**PART 7:** No exhibitor shall exhibit a picture before dawn on the day he is to start his engagement unless he first obtains the consent of the distributor of such a picture.

#### DISTRIBUTORS-EXHIBITORS

**PART 1:** By this clause the Optional Standard Contract negotiated by Allied States and M.P.T.O.A. with the producers represented by Sidney R. Kent is recognized by the Code as the form to be used, unless the exhibitor demands of the distributor a different form, and where a particular provision in the contract conflicts with any of the provisions of the Code, the Code shall govern. Yet an individual distributor is not barred by this provision from putting into the contract individual sales policies, provided such policies do not conflict with any of the Code provisions.

The non-conflicting outstanding provisions of the Optional Standard License Agreement that grant to the exhibitors more beneficial terms than were granted him by the contract forms heretofore in use are the following:

**Second Clause:** (b) It determines definitely damages to be paid to the exhibitor in cases where the distributor has breached the contract by failure to ship the film.

**Fourth Clause:** (b) It determines definitely general release dates which can be used for the purpose of computing the time an exhibitor is entitled to a play-date availability notice; (c) enables the exhibitor to play a picture out of its release order under certain conditions; (f) grants the right to an exhibitor whose interests are injured by the failure of another exhibitor to ship him his print to take part, for the protection of his interests, in any action a distributor may bring against the neglectful exhibitor.

**Sixth Clause:** (a) It establishes more definitely the time a distributor must notify the exhibitor what pictures are available for him.

**Sixteenth Clause:** (a) It sets a time limit for the delay of a first-run exhibitor in exhibiting a picture, this limit being one hundred and twenty days from the date of a picture's general release, shortening the period of protection after the ninetieth day so that such protection may at all times expire on the one hundred and twentieth day; (b) it sets a limit of fourteen days after the one hundred and twenty days of the first-run exhibitor within which the second-run exhibitor must exhibit the pictures made

(Continued on last page)



### "If I Were Free" with Irene Dunne and Clive Brook

(RKO, December 1; running time, 66 min.)

This might do as passable entertainment for class audiences, particularly women, but it is not for the masses; there is too much talk and too little action. It is only because of the sympathy one feels for Irene Dunne that the interest is held to some extent to the end. The picture never seems to rise to any dramatic or emotional heights, which is not the fault of the acting, but mostly of the listless treatment of the story material. The fact that Irene Dunne has an affair with Clive Brook, even though he is married, is not objectionable since it has been handled delicately:—

Clive Brook and Irene Dunne, both unhappily married, meet in Paris and fall in love. Brook had lost all interest in his work as a lawyer and she gives him new faith in himself. They go back to England together and Irene obtains a divorce from her husband. But Brook's wife decides not to free him, even though they did not live together. Irene is willing to live with Brook. There is much gossip, however, and Henry Stephenson, Brook's friend, asks Irene to give him up for the sake of his career. She loves him enough to do this and is getting ready to leave for America when she receives a call from Brook's mother who had a great affection for her. She tells Irene that Brook has only a year to live; this changes Irene's plans. Brook undergoes an operation for the removal of a bullet which he had received during the war. The operation is dangerous but he comes through and his wife eventually consents to the divorce. Irene and Brook marry.

The plot was adapted from the play "Behold We Live," by John Van Druten. It was directed by Elliott Nugent. In the cast are Nils Asther, Laura Hope Crews, and others.

Children and most adolescents will not understand the fact that Irene Dunne and Clive Brook live together; but exhibitors will have to use their own judgment about showing it to these, and booking it for a Sunday showing.

### "The Charming Deceiver" with Constance Cummings

(Majestic Pictures; running time, 71 min.)

A moderately amusing British-made farce, with some music. It is rather slow moving but there is fairly good comedy and some fair musical numbers. It manages to hold the interest to some degree because of the heroine's impersonation of a famous actress, and the complications this leads her into. At times the sound is bad. This, coupled with the British accents and expressions, will make it a little difficult for some people to understand. The romance is pleasant:—

Constance Cummings, a model, meets and falls in love with Frank Lawton, who tells her he comes from an aristocratic English family. He leaves for Deauville and Constance induces her friend Binnie Barnes to spend their vacation together at Deauville. On the boat to Deauville Constance finds Frank, but she is disappointed when she sees he is just a steward. She refuses to see him. Once in Deauville it is difficult for the girls to get hotel accommodations, until some one mistakes Constance for a famous American motion picture actress. Constance keeps up the impersonation and the girls are given much attention. They are taken to a week end party on a yacht and Constance is amazed to find that Lawton is the host. After many misunderstandings and the trouble due to Constance's impersonation she learns that Lawton really came from the titled family, and that he had taken the job as steward to gather material for a series of articles. They are united after Lawton gets her away from the hotel where the real actress wants to have Constance arrested for impersonating her.

The picture was directed by Monty Bank. Others in the cast are Gus McNaughton, Iris Ashley and Claude Hulbert. Suitable for children, adolescents, and Sundays.

### "King for a Night" with Chester Morris and Helen Twelvetrees

(Universal, October 30; running time, 78 min.)

Just fair. The acting of Chester Morris is good, but the story is depressing and has several unpleasant angles. For one thing, Helen Twelvetrees, Morris' sister, willingly consents to live with a racketeer because she feels he can further her brother's career as a prizefighter. In addition, Morris is sent to the electric chair for a murder he had not committed. Although he was doing this to protect his sister, who had committed the murder, the fact that he is innocent

and yet is put to death sends shudders through the spectator. The closing scene in which Morris' father, a minister, walks with him to the death chamber reciting a prayer, presumably was meant to arouse emotion in one, but instead the effect is just to arouse morbidity. Morris is a sympathetic character throughout; one feels particularly sorry for him when he finds out what his sister had done.

In the development of the plot, Morris, not knowing that it was through his sister's influence that he was forging ahead as a fighter, feels proud of his various winnings. The night before his championship bout he finds out that his sister had been living with a racketeer, his promoter, and he goes to the man's apartment. There he finds the racketeer dead and his sister hysterical for she had killed him when he threatened to tell Morris about their affair. Morris orders her to leave and then puts his own fingerprints on the gun. He wins the championship bout but is arrested immediately afterwards, charged with the murder of the racketeer. He is found guilty and put to death in the electric chair.

The plot was adapted from a story by William Anthony McGuire. It was directed by Kurt Neumann. In the cast are Alice White, John Miljan, Grant Mitchell, George E. Stone, George Meeker, Frank Albertson, and others.

Not suitable for children, adolescents, or Sundays.

### "Goodbye Love" with Charles Ruggles

(RKO, November 10; running time, 65 min.)

Only moderately entertaining. It is a slapstick comedy, with a thin story that drags at times. Charles Ruggles struggles valiantly with the material, and occasionally is really funny. This is so particularly in his scenes with Verree Teasdale, with whom he had fallen in love, only to discover that she was to marry Sidney Blackmer, his employer. The complications that arise are quite hectic, particularly in the closing scenes when Ruggles finds it necessary to marry Verree himself.

In the development of the plot Ruggles is employed as butler for Sidney Blackmer. Blackmer goes to jail because of his refusal to pay his gold-digging ex-wife alimony. He gives Ruggles some money and suggests that he go away for a vacation. Ruggles goes to the country, registers at a swanky hotel and poses as a titled Englishman. There he meets Verree Teasdale who makes him believe she loves him. After she takes all his money she leaves for New York where she is to marry Blackmer who had been released from prison. Ruggles returns in time to prevent Blackmer from marrying Verree. He agrees to continue posing as a wealthy man and wins Verree away from Blackmer. After Verree marries Charles she finds out that he is nothing but a butler. In the meantime, Blackmer realizes how faithful Phyllis Barry had been to him and he marries her.

The plot was adapted from a story by Hampton Del Ruth. It was directed by H. Bruce-Humberstone. Ray Walker, Mayo Methot, Louis Alberni, and others are in the cast.

Not for children, adolescents, or Sundays.

SUBSTITUTION FACTS: This is replacing 31160 listed on the contract as "Life Begins Tomorrow." Although the contract does not give an author's name, the press material sent out by RKO showed that "Life Begins Tomorrow" was to have been founded on a story by Guido da Verona. It is a story substitution.

### "Big Time or Bust" with Regis Toomey and Gloria Shea

(Tower Productions; running time, 60 min.)

Mediocre program fare. The story is trite, and the photography poor; and so is the sound at times. Both Toomey and Gloria Shea win the sympathy of the audience but this is not enough to hold the interest, since the story follows the old formula of successful wife, misunderstanding husband, and interfering villain. Another reason for the lack of interest is the fact that the outcome is obvious:—

Regis Toomey does a high-diving feature act in a carnival and Gloria Shea is his assistant. When the show folds up they marry and go to the city to try to get into big time. They are unsuccessful and Gloria takes a position as entertainer in a night club where she proves a success. Walter Byron is fascinated by her and induces a play producer friend of his to give her a part in his musical show. She is a great success. She insists that Toomey give up his diving act and live with her. He hears remarks around that he is living off his wife's earnings and that she is having an affair with Byron. Disgusted, he leaves her and goes back



to do his act. He decides to kill himself while doing the act but Gloria, who found out why he misunderstood her, rushes to him and gives him renewed courage. They are reconciled and Gloria agrees to give up her work to stay in Toomey's act.

The plot was adapted from a story by G. W. Sayre. It was directed by Sig Neufeld. In the cast are Edward Maxwell, Charles Delaney, Paul Porcasi, and others.

Unsuitable for children, adolescents, or Sundays.

### "Hell and High Water" with Richard Arlen and Judith Allen

(Paramount, October 27; running time, 69 min.)

Poor. The story is mediocre and the atmosphere drab. It moves slowly, and the character that Richard Arlen portrays is a negative and unsympathetic one. For instance, he is constantly harping about living alone on his garbage scow, insisting that women were trouble and that he was going to keep away from them; also that he was out to make money and that nothing else was important. His treatment of Judith Allen is ridiculous. The only human trait he shows is his love for an abandoned baby boy he had adopted. The audience is never held in suspense, for the outcome is quite obvious:—

When Judith Allen attempts suicide by jumping into the river Arlen saves her. He is so antagonistic towards her that she leaves and takes a job as entertainer in a waterfront cafe. She takes money from a drunken customer who later insists that she give it back to him. In trying to escape from him she runs out of the cafe, falls into the river, and is again rescued by Arlen. This time she stays to take care of the baby, but lives at a neighbor's home. She falls in love with Arlen and he gradually begins to like her. He goes tuna fishing with some Japanese boatmen so that he might make enough money to buy a new boat. The fishing boat is rammed, and all but Arlen are drowned. He is picked up by a ship and brought home. He saves Judith from the unpleasant task of getting rid of the man she had duped of the money. He finds all his money gone, but believes Judith when she tells him she was forced to give it to the drunken mother of Arlen's adopted baby who, otherwise, would have taken the baby away. Judith and Arlen are married.

The plot was adapted from a story by Max Miller. It was directed by Grover Jones and William Slavens McNutt. In the cast are Charley Grapewin, Sir Guy Standing, Robert Kettles, Gertrude Hoffman, Matsui, William Frawley, and others.

Except for the episode in the cafe, it is suitable for children, adolescents, and Sundays.

### "Horse Play" with Slim Summerville and Andy Devine

(Universal, November 27; running time, 67½ min.)

A good comedy. It starts off rather slow, but it develops into a slapstick farce with many situations that will arouse hearty laughter. The real fun begins when Slim and Andy find themselves in English society. Of course, the comedy is rather silly, but one cannot help laughing at the funny situations both Slim and Andy get themselves into. One really funny situation is the one in which the two titled ladies come to visit Slim and Andy and after a few drinks forget their haughty manners; also the situation in which Slim and Andy arrive at the castle, and are puzzled at the manner in which they are greeted, not realizing that it was a costume ball. One of the funniest scenes is where some ants crawl under Slim's costume of armor and he is frantic until the costume is removed by a blacksmith. The closing scenes are fast, and fairly humorous:—

Slim owns a broken-down ranch and Andy is his assistant. Slim loves Leila Hyams, but her uncle will not consent to a marriage. Leila is sent to England to visit some titled relatives and Slim is heartbroken. Slim becomes a rich man over night when he sells his ranch for a million dollars because of the discovery of radium holdings on it. He sets out with Andy and his horse for England and searches all of London for Leila without success. Through an accident he meets her aunt and they become good friends. She invites them to a costume party at her castle and they are all dressed up for the occasion. Slim brings the horse along as a gift for Leila but when he arrives there and finds Leila engaged to another man he is heartbroken. It later develops that this man is a crook and Slim helps the Scotland Yard officials to get him. Leila asks Slim to take her back to the United States as his wife.

The plot was adapted from a story by Ebba Havey and

Clarence Marks. It was directed by Edward Sedgwick. In the cast are May Beatty, Una O'Connor, David Torrence, Ferdinand Gottschalk, Lucille Lund, and others.

Suitable for children, adolescents, and Sundays.

### "Girl Without a Room" with Charles Farrell, Charles Ruggles and Marguerite Churchill

(Paramount, December 8; running time, 73 min.)

Very light entertainment, for the story is senseless; but because of the good acting by Charles Ruggles and Gregory Ratoff, who provide most of the laughs, the interest is held to some degree. Much of the dialogue is done in rhythmical style to the accompaniment of music. The funniest situation is the one in which Ruggles, much against his desires, is forced to fight a duel with a Russian whose daughter Ruggles had insulted. The whole story is an exaggerated notion about how the artistic quarters in Paris are conducted, and the crazy behavior of some of the occupants of a house in which artists board. Walter Woolf, a musician, gives the only touch of realism to an otherwise unbelievable story:—

Charles Farrell, an American Southerner, wins an art scholarship and is sent to Paris. He boards in a house run by Gregory Ratoff, the janitor, a former General in the Russian Army. As soon as the parasites in the house learn that Farrell has some money they eat his food, drink his wine, and borrow his money. One of the boarders, Marguerite Churchill, an American, falls in love with Farrell and tries to get him away from the wrong people. Farrell loves her, too, but he is influenced by Grace Bradley, a gold-digger, who tells him that Marguerite is the mistress of Walter Woolf. Farrell paints a picture in impressionistic style and wins a prize when it is hung upside down. He objects to this and takes the picture away. The picture is such a monstrosity that it is bought by a firm to be made into a jigsaw puzzle, and they order Farrell to paint more. He is successful. Farrell and Marguerite are reconciled when he finds out that the stories he heard about her were lies.

The plot was adapted from a story by Jack Lait. It was directed by Ralph Murphy. In the cast are Leonid Snegoff, Mischa Auer, Leonid Kinsky, Sam Ash, and others.

Not for children, adolescents, or Sundays.

### MOTION PICTURE THEATRE OWNERS

of Western Pennsylvania, Inc.

425 Van Braam Street,  
Pittsburgh, Pa.

December 5th, 1933.

Mr. P. S. Harrison,  
HARRISON'S REPORTS,  
1440 Broadway,  
New York City, N. Y.

Dear Mr. Harrison:

At our recent convention, all the members of our association voiced their confidence in you and that very fine paper of yours, and they adopted a resolution to this effect.

We are pleased to enclose herewith a copy of this resolution, and assure you that we wish you continued success in your work.

With kindest personal regards, we are

Sincerely yours,

FRED J. HERRINGTON,

Secretary.

"WHEREAS, P. S. Harrison, the editor of HARRISON'S REPORTS, has at all times given honest, truthful and competent news reports, and

"WHEREAS, he has at all times been consistent in his efforts towards aiding the independent exhibitors, and

"WHEREAS, during the recent Code conferences he has given his whole-hearted support and cooperation to the independent exhibitors, giving freely of the space of HARRISON'S REPORTS, therefore be it

"RESOLVED, that the Motion Picture Theatre Owners of Western Pennsylvania and West Virginia, in convention assembled, hereby re-affirm their faith in P. S. Harrison and HARRISON'S REPORTS, and be it further

"RESOLVED, that this resolution be made a part of the permanent record of this organization, and that a copy of it be sent to Mr. Harrison."



available for him after its exhibition by the first-run exhibitor, shortening the second-run exhibitor's protection accordingly in case he should fail so to exhibit the picture; (c) regulates the exhibition of subsequent runs with a view to benefiting other exhibitors who have the same picture booked; (d) it exempts from the provisions of the contract all pictures that shall have been shown for a full show week prior to the run granted to the first-run exhibitor.

Seventeenth Clause: In case a given number of pictures are not to be "generally released" within the life of the contract, such pictures are excepted and excluded, but this clause makes it obligatory on the part of the distributor to notify the exhibitor to that effect at least fifteen days before the expiration of the contract; if the exhibitor, however, should send to the distributor a letter within thirty days after the expiration of the fifteen-day period that he intends to exhibit these "not generally released" pictures, the distributor must deliver them to the exhibitor if he should produce them within one year after the expiration of the contract. (This clause makes it difficult for the distributor to produce a good picture at about the end of a picture season and hold it back to sell it to the same or to another exhibitor at higher prices in the subsequent season, such as has been the case with "Gold-diggers," "Dancing Lady," "The Invisible Man" and "Counselor at Law.")

PART 2: Under paragraph (a) of this Part of the Code, the arbitration provision in the Optional Standard License Agreement, which is made part of the Code, shall govern if both parties to the contract shall agree to arbitration.

The arbitration clause provides for two arbitrators to be selected by the distributor, and two by the exhibitor; these four are to select a fifth, none of whom shall have either a direct or an indirect interest in the controversy.

Paragraph (b) of this Part of the Code enables the contending parties to reduce the number of the arbitrators to one each, who shall select a third arbitrator from outside the ranks of the industry.

PART 3: It prohibits distributor and exhibitor from seeking to induce the other to break any picture contract.

PART 4: It prohibits distributor and exhibitor from offering bribes for undeserved advantages against another distributor or another exhibitor, as the case may be.

PART 5: It prohibits the disclosure of receipts by either distributor or exhibitor, except to persons entitled to such information.

PART 6: It grants the exhibitor whose average film rental for each picture is \$250 or less the right to cancel ten per cent of the pictures he has contracted for (provided he is in good standing with such distributor as regards to his contracts), such right to be exercised as follows:

(1) He can cancel the tenth picture after playing the first nine pictures. If the picture he desires to cancel should be released early, he can pay for it when it becomes available for him; and then apply the payment on the rental of the tenth picture; but he must notify the distributor to that effect not later than fourteen days after the general release date in the territory where the exchange is located. He can take the same action with each additional group of ten pictures or fraction of a group.

If he should wish to cancel two or even more pictures from the first group of ten, if the group should be large enough, he can pay for them, and then apply the rental of each cancelled and paid for picture on the last picture of each group of ten pictures.

Since the Code specifies that more than five pictures and up to ten shall be considered a full unit, entitling the exhibitor to cancel one, the number of pictures an exhibitor may cancel in a group is as follows:

In a group of pictures anywhere from six to fifteen, he may cancel only one picture. In a group of anywhere from sixteen to twenty-five, he may cancel two pictures. In a group of anywhere from twenty-six to thirty-five, he may cancel three pictures. The same ratio may be used for larger groups.

In the case of, say, Paramount, which company sells a maximum number of sixty-five, a contract-holder is entitled to cancel six pictures. He is entitled to cancel the same number if Paramount should deliver only fifty-six pictures.

When a picture is excluded, all contractual rights to it revert to the distributor.

When the picture to be excluded belongs in the percentage class, in determining the rental an exhibitor must pay

to the distributor, the same calculation shall be made as is made in the case of pictures an exhibitor refuses to play—by taking into consideration percentage pictures played in the exhibitor's theatre for a certain number of days or months previously.

Since the cancellation provision in the Optional Standard License Agreement conflicts with the cancellation provision of the Code, the Code provision governs.

## ARTICLE VI

### PART I—Clearance and Zoning Boards

The purpose for which the Clearance and Zoning Boards are created is to make unreasonable clearances in length of time and in size of area impossible.

Section 2 of this Part provides that the Clearance and Zoning Boards shall be appointed by the Code Authority, that there will be one such board in each exchange centre, that each such board shall consist of one distributor with theatre affiliations, one distributor without theatre affiliations, one first-run exhibitor with producer-distributor affiliations, one first-run exhibitor without producer-distributor affiliations (in case there is none, such exhibitor may be taken from the ranks of the first-run neighborhood), two subsequent-run unaffiliated exhibitors, and one disinterested person, who will be appointed by the Code Authority after approval by the Code Administrator, and who shall be regarded as the impartial observer for the Code Authority. This member shall vote only when the board is deadlocked. A chairman shall be elected by the members from among themselves by a majority vote. All vacancies shall be filled from the class to which the vacant seat belonged.

Section 3 provides that these boards shall be created before January 1, 1934, that each board, immediately after its creation, and thereafter just before January 1 of each year, shall formulate in its territory clearance schedules to govern for the year, the purpose of which schedules will be to prevent unfairness in clearances, both of area and time. These schedules may classify theatres in accordance with local conditions. Such schedules may be changed at the request of interested parties and after a hearing by the Board as long as the changes will not affect any exhibition contracts made with the existing schedules as a basis unless both parties to the contract agree to the proposed changes.

Under Section 4 a board, in making the classification of the theatres, or in formulating clearance schedules, must take into consideration that:

(a) clearance determines the rental value of pictures considerably;

(b) the showing of a picture within the same competitive locality too soon after the preceding run by restricting unduly the competitive area in which clearance is limited depreciates a picture's rental value;

(c) unfair depreciation of the rental values of pictures discourages the production of quality pictures and consequently affects adversely the investment of capital and tends to reduce employment;

(d) unreasonable clearance affects considerably the value of pictures for subsequent-run exhibitors (e) causing a reduction to the box-office receipts not only of the theatres but also (f) of the distributors.

Section 5 stipulates that the decisions of each local board shall be made by majority vote, in writing.

Section 6 provides that the schedules formulated by each board shall be filed with the Code Authority immediately.

Section 7 (a) stipulates that those who feel that the schedule formulated by such a board is unfair to them shall file a complaint with the board not later than thirty days after the schedule had been published; that the board must make a decision within fifteen days after the receipt of such complaint or within three days after hearing the aggrieved parties. All aggrieved persons may appeal to the Code Authority within five days of the board's decision if they are not satisfied with such a decision, in which case they have the right to appear (b) before the Code Authority to present additional evidence, and the Code Authority must render its decision within fifteen days from the day the hearing upon the appeal had been held.

Section 8 (a) makes binding upon both exhibitors and distributors the schedules of the Local Clearance and Zoning boards, or the decisions of the Code Authority upon them, in the exchange centre affected, and permits the terms of the contracts between disputants to be carried out (b) pending a final determination of a dispute by either the Board or the Code Authority.

(To be continued next week)



# HARRISON'S REPORTS

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Devoted Chiefly to the Interests of the Exhibitors

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Columns, if it is to Benefit the Exhibitor.

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## Benefits the Exhibitor Will Derive Under the Code — No. 3

When a physician examines a person and finds him gravely ill, he does not hesitate to prescribe the bitterest medicine if by so doing he hopes to make him well. To refrain from giving his patient such medicine just because it will displease his palate would not only endanger his patient's life, but also violate the oath of his profession.

There is no doubt that my finding the Code beneficial to the independent exhibitors and my advocating to such exhibitors to sign it will displease some exhibitor leaders, who hope to force the President to grant more reforms. But were I either to remain silent as to the beneficial features of the Code, since I am convinced that it has such features, or to refrain from urging every independent exhibitor to sign it, I would be violating my "oath of office," just as would the physician of my simile. But my fifteen years as publisher of HARRISON'S REPORTS have demonstrated that, in crises, I do anything but shirk my duty toward those whom I have promised to serve; and I am not going to start shirking it now.

How can any exhibitor, be he a leader or a member of the rank and file, expect me to advise the independent exhibitors not to sign the Code when it is the law of the land and when failure to display the Blue Eagle in their theatres may wreck their business? Let others give them such advice.

One exhibitor leader has written me that the exhibitors, by signing the Code, forego the right to seek such other reforms as they feel they ought to have. Such an opinion is contrary to fact; signing the Code does not prevent any one from seeking other reforms, either at the end of the trial period of ninety days, or afterward.

Another exhibitor leader has written me that everything would have been well were it not for the retreat the Code Administrator made at the protest of the producers against the severity of the President's Executive Order, which remains outstanding. Let us see whether Mr. Johnson has cancelled any of the prerogatives of the Code Administrator as stipulated in the Order:

Article (1) of the Executive Order vests the Code Administrator with a right to review, and if necessary disapprove, any action taken by the Code Authority, or by any committee named by it, or any action taken by any board named by such a body; article (2) vests him with the power to remove any member of the Code Authority, or any alternate of such a member, or any member of any board appointed by the Code Authority who may fail to be fair, impartial, and just; and article (3), to augment the membership of the Code Authority, if he saw fit. The memorandum Mr. Johnson sent to the newspapers after the visit of Mr. Hays and of members of his organization to the President reads as follows:

"The Administrator construes numbered paragraphs 1, 2 and 3 of the Executive Order of the President on the Motion Picture Industry Code as not creating any right of appeal from the determination of the Code Authority under Article II, Section 4 (which grants to the Code Authority the right of appointing committees, such as the Clearance and Zoning Boards or the Grievance Boards), Article II, Section 10 (a) (which grants such Authority the right of employing persons and of removing them, as well as of determining their compensation), Article V, Division D, Part 9 (which deals with the obligation of a distributor to substitute another percentage picture on a day a Local Grievance Board has determined, on a complaint by an exhibitor, that the picture first booked is not suitable for the custom of that exhibitor for such a day), and Article VI (which deals with the establishing of the Clearance and Zoning Boards and of the Grievance Boards), or from the determination of the boards set up in Article VI, or in any sense creating the Administrator as a Court of Review of

the action of these boards or of the Code Authority in individual cases. These paragraphs (meaning 1, 2 and 3 of the Executive Order) refer to the right of the Administrator to inquire into the general course of conduct of the mechanism of the Code.

"The Administrator will exercise his discretion under Paragraphs 2 and 3 of the conditions incorporated in the Executive Order in accordance with the recommendations of at least a majority of the voting members of the entire Code Authority (;) and the successor of any person removed under the condition in said Paragraph 2 shall be appointed in the manner provided in Article II, subdivision (i) of the Code (which provides that in case a Code Authority member is unable to designate an alternate, the designation shall be made by the entire Code Authority, subject to the approval of the Administrator). . . ."

Though the statement appears to be somewhat involved because it leaves it to the reader to search for and, after finding, to read the different articles referred to by the numbers, the letters and the Latin numerals, it becomes plain to everybody when a short explanation of the parts of the Code referred to is placed alongside the particular letter, number or Latin numeral. One then sees that Mr. Johnson has granted no concession to the members of the Hays organization, for the Executive Order remains exactly as it was originally issued, a fact which means that the Administrator still has the right to review, and when necessary to disapprove, (1) any decision reached by either the Code Authority or by any of the boards set up by it, (2) to remove any member of the Code Authority or of any board created by such Authority, and (3) to augment the Code Authority.

Some persons have construed the second paragraph of the memorandum as meaning that, in the reviewing, and if necessary the disapproving, of any decision reached by the Code Authority, or by any board created by it, and in the augmenting of the membership of such Authority, a recommendation must be made by at least the majority of the voting Code Authority members; but a careful reading of it reveals the fact that the Code Administrator "will exercise his discretion" whether he will wait for a recommendation by "at least a majority of the voting members of the entire Code Authority" or will proceed to "exercise his discretion" without such a recommendation at all, so far as Paragraphs 2 and 3 are concerned, but not as to paragraph 1, which refers to the reviewing and disapproving of Code Authority decisions; his rights under that Paragraph remain unquestionable.

As to his stating that no complainant will have the right to appeal from the Code Authority to the Code Administrator in case he felt that its decision was unfair and unjust to him, such a right is contained nowhere in the Code. So the Code Administrator has conceded nothing. He still retains all of his supervisory rights over the actual operation of the Code.

The trouble with many exhibitors is that they are often influenced by the reading of news matter put out purely for the purpose of creating reader interest rather than for conveying an interpretation. The discussion made in this article has been undertaken, not to create reader interest, but to state facts.

Let us now proceed with the interpretation of the Code:

(Part 1—Clearance and Zoning Boards)

(Continued from last week)

Section 9 makes it clear that a Local Clearance and Zoning Board shall hear no questions other than those that pertain to clearance and zoning matters.

(Continued on last page)



**"Advice to the Lovelorn" with Lee Tracy**  
(United Artists, December 1; running time, 60½ min.)

In adapting "Advice to the Lovelorn" to the screen from the novel "Miss Lonelyhearts," by Nathanael West, the producers have cleansed it of all the filth the book contained. But the book offered little material for an interesting picture, and "Advice to the Lovelorn" has made just a pretty good program comedy-melodrama, with a mixture of the gangster element. It moves fast, and the closing scenes, although implausible, hold the spectator in suspense because of the danger to the lives of both Tracy and Sally Blane. But one part of the picture is unpleasant; that is where Tracy, a newspaper man, accepts a bribe to print advertising matter in his column. Because of this one loses sympathy for him. The situation in which Tracy's mother dies of heart trouble, by taking an inferior grade of medicine Tracy had bought at the cut-rate store he advertised in his column, is pitiful.

In the development of the plot Tracy, who had a contract with his newspaper, is ordered to edit the love column of the paper. He tries to break his contract in order to go into the garage business with Sally Blane's father, but the editor refuses to release him. He is bold in the advice he gives in his column and this wins new readers and new advertising contracts for the paper. He is given an increase in salary. One day he receives a visit from C. Henry Gordon, who owned a cut-rate drug store, and Gordon offers to give Tracy one thousand dollars a week to advertise his drug store in his column; Tracy accepts the bribe. He realizes the wrong he had done when his own mother dies because of an inferior grade of medicine he had bought at Gordon's drug store. He exposes him in his columns as a criminal. Sally agrees to marry Tracy and goes to his apartment to pack his bags. Gordon and two of his gang arrive there and hide and when Tracy arrives Sally warns him. He throws messages out of the window about his danger, but before his clerk, who was waiting downstairs, gets them, he receives a call from federal agents who wanted Gordon's address. Thankfully he tells them that Gordon is hiding in his apartment and Gordon and the two men are taken into custody, to be charged with the crime of neglecting to pay income tax. Sally and Tracy leave to be married.

Alfred Werker directed it. Others in the cast are Sterling Holloway, Jean Adair, Paul Harvey, Isable Jewel, Matt Briggs, and others.

Not suitable for children, adolescents, or Sundays.

**"Jimmy and Sally" with James Dunn and Claire Trevor**

(Fox, November 24; running time, 68 min.)

Just moderately entertaining program grade fare; it becomes boring after a while. The story is trite, the action slow, and the dialogue ordinary. What is supposed to be comedy is just plain silliness; probably the only half-way comical situation is the one in which Dunn pulls a publicity stunt for an actress by passing a rumor that she loved a gangster; this brings all the gangsters in town to the cafe where she performed. Dunn is not the type that arouses much sympathy for he spends most of his time bragging about himself and making himself obnoxious. Claire Trevor, his sweetheart, arouses sympathy by her attempts to change his manners. But there is little in the picture to hold the interest:—

Claire Trevor and James Dunn, sweethearts, work together in the same meat concern. He is publicity director and she is his secretary. He does not take his work seriously, but is always thinking of wild ideas by which to put things over. One idea costs his firm several law suits and so he is discharged and then re-engaged by his employer to act as press agent for his actress-sweetheart. There, too, he fails and is discharged for good. Claire refuses to see him and since he finds it impossible to get a position he goes out of town and works in a meat packing concern. He saves most of his money and then goes back to his old employer. He finds Claire head of the publicity department, and when he hears that she is engaged to Harvey Stephens, he is ready to throw up all his plans. But Claire convinces him she still loves him and there is a happy reconciliation.

The plot was adapted from a story by Paul Schofield and Marguerite Roberts. It was directed by James Tinling. In the cast are Harvey Stephens, Lya Lys, Jed Prouty, Gloria Ray, and others.

Suitable for children, adolescents and Sundays.

**SUBSTITUTION FACTS:** In the worksheet the stars for "Jimmy and Sally" are listed as James Dunn and Sally Eilers. Since Sally Eilers does not appear in the finished product it is a star substitution.

**"Fury of the Jungle" with Donald Cook, Peggy Shannon and Alan Dinehart**

(Columbia, October 30; running time, 67 min.)

Just another jungle picture, slow-moving, and with a rather unpleasant story. Most of the picture centers around the desire of two drunken and loathsome characters to possess Peggy Shannon, who was stranded on the island, due to the death of her brother, an explorer, who had been forced off a boat with her because of a fever he had contracted, and this island was the first landing place. Suspense is fairly well sustained due to the fact that Peggy Shannon was in constant danger. One feels sympathy for her; likewise for Donald Cook and Dudley Digges, who endanger their lives to protect Peggy, Digges eventually even accepting death in order to protect Cook so that he might marry Peggy.

Alan Dinehart, the self-appointed and cruel ruler of the island, which was inhabited by criminals, desires Peggy as does his henchman Harold Huber, a character just as evil as Dinehart. Peggy and Cook had fallen in love with each other and were waiting for an opportunity to leave the island. The rule of the island was that stealing was punishable by death—being thrown to the crocodiles. Dinehart first kills Huber, and then attempts to frame Cook. But Digges "confesses" to the theft, which had been planted by Dinehart, and he is thrown to the crocodiles. Toshia Mori, a Japanese girl who had been thrown over by Dinehart, tells the islanders what Dinehart had done and they throw Dinehart to the crocodiles. Peggy and Donald leave the island on the next boat that arrives there.

The plot was adapted from a story by Horace McCoy. It was directed by Roy William Neill. In the cast are Clarence Muse, Fredrick Vogeding and Charlie Stevens. (Out-of-town review.)

Not for children, adolescents, or Sundays.

**"The Sin of Nora Moran" with Zita Johann, Paul Cavanaugh and Alan Dinehart**

(Majestic Pictures; running time, 64 min.)

This is ordinary material produced in the "narratage" style, somewhat similar to that of "The Power and the Glory"; that is, it is done in flashbacks, at times the characters speaking their lines, and at other times the action being explained by one of the characters. It is draggy, and all quite confusing; the average audience will find it difficult to follow the story, particularly during situations in which Zita Johann, while in a delirious state, relives some tense moments in her life. There is a spiritualistic touch when one sees Paul Cavanaugh guided by the spirit of Zita Johann. Added to all this is a story that is unpleasant, the characters winning little sympathy. For instance, Paul Cavanaugh, a married man, has an affair with Zita Johann, who knows he is married. The worst touch, however, is the situation in which Zita Johann is assaulted by John Miljan. This scene is somewhat similar to the revolting situation in "Sanctuary"—one sees Miljan approach her and the next thing a piercing shriek is heard.

The following story is told by Alan Dinehart to his sister because she is enraged when she learns that Cavanaugh, her husband who had killed himself, had had an affair with Zita Johann: Zita, unable to find work in a chorus, had taken a position in a circus as assistant to John Miljan, an animal trainer. One night he assaulted her and she soon left him. At a night club where she became an entertainer, she met Paul Cavanaugh and they fell in love. They lived together. One night the circus came to town and her former lover called on her and when he found Cavanaugh there he thought it would be a good thing to blackmail him. In a quarrel that followed Cavanaugh killed the man. Zita sent Cavanaugh away and then telephoned Dinehart to come to see her. She told him that she had killed the man and in order to avoid any scandal for Cavanaugh, who was running for Governor, they took the body out of the house and decided to put it some place on the road. Just as Zita was leaving the body she was recognized by some of her old circus friends and eventually when Miljan was found murdered she confessed to the murder. She was sentenced to the electric chair. Cavanaugh, unable to face life without her, killed himself just as she was electrocuted. After Dinehart finishes telling the story his sister forgets the animosity she had felt.

The plot was adapted from a story by Willis W. Goodhue. It was directed by Phil Goldstone. In the cast are Cora Sue Collins, Claire DuBrey, Henry B. Walthall, Sarah Padden, and others.

Not suitable for children, adolescents, or Sundays.



**"Roman Scandals" with Eddie Cantor***(United Artists, December 29; running time, 90 min.)*

A good comedy, colorful, and lavish. Eddie Cantor again predominates, and despite certain dull lapses it is good mass entertainment, able to keep an audience amused throughout. Following the style of the other Cantor pictures, it contains one situation where girls are shown in a bathing and dance ensemble almost nude. It is, however, comical because Eddie becomes involved when he enters their private baths to give a message to Gloria Stuart. One hilarious situation is where Eddie, cautioned that the king was to be poisoned, is told his life (he was the food taster for the king) would be spared. He is told to taste the chicken without the parsley dressing; the one with the parsley was poisoned. However, by the time it reaches the king the two chickens have parsley dressing and Eddie frantically tries to get out of the task of tasting the chickens. The closing scenes are exciting; they show a wild chariot race in which David Manners and Gloria Stuart are escaping from the king's palace, with Eddie following them in a chariot to warn them, and the king's soldiers following in other chariots:—

Eddie, the town simpleton, is ordered to leave West Rome, a small American town, because he dared oppose the wealthiest and most influential man in town when this man attempted to evict poor tenants from their homes so as to build a large jail. He falls asleep and dreams he is in ancient Rome. With the use of magic gas fumes that induced laughter in those who breathed it, the king is made to laugh. The king is so pleased that he brings Cantor to the palace and makes him food taster. The queen tries in many ways to poison the king, so that she might rule. In the meantime, Gloria Stuart, a princess captured from another land, is held prisoner in the palace because the king desired her. David Manners, champion of the poor, is in love with Gloria. With Eddie's help they are able to escape and during a wild chariot race in which Eddie falls from a cliff, Eddie awakens. He finds a check made out by the rich banker to the chief of police which proves that bribes had been paid. With this evidence he has the banker indicted and he again becomes assistant in the grocery store.

The plot was adapted from a story by George S. Kaufman and Robert Sherwood. It was directed by Frank Tuttle. In the cast are Ruth Etting, Verree Teasdale, Edward Arnold, Alan Mowbray, Grace Poggi, and others.

Except for the scene in which the girls are shown half dressed, it is suitable for children, adolescents, Sundays.

**"Should Ladies Behave" with Alice Brady and Lionel Barrymore***(MGM, December 1; running time, 86 min.)*

"Should Ladies Behave" is one of those smart comedies that is primarily entertainment for sophisticated audiences. But because of the character Alice Brady portrays, that of a feather-brained woman who dreams of a long lost love, it may amuse the masses fairly well. Some of the situations arouse hearty laughter, particularly those in the closing scene, in which Alice Brady realizes she had mistaken Conway Tearle for her former lover because of a similarity in names. The behavior of Mary Carlisle, the daughter, is rather ridiculous at times; she is silly and childish in her attitude about life. None of the characters arouse much sympathy, and there is little suspense because the outcome is quite obvious:—

Alice Brady is married to Lionel Barrymore, a man much older than she is. Their daughter, Mary Carlisle, is in love with William Janney and he with her but he feels she is not sophisticated enough. Katherine Alexander, Alice's sister, plans to spend a week-end at Alice's country home with her lover, Conway Tearle. Since Alice knew Tearle she suggests that Tearle send a telegram saying he would like to visit Alice, and Katherine would arrange to be there, too. When the telegram arrives Alice thinks it is from her first love, a musician with whom she had had an affair before she married. She is all excited, thinking he was coming to claim her and when he arrives she hints at many things which he does not understand. But Barrymore sees through it all and realizes that Tearle and Katherine are lovers, and orders Tearle to leave. Alice insists that he stay. Mary comes home from school and is fascinated by Tearle's worldliness. He is charmed by her innocence and they plan to leave together and be married. But Janney arrives on the scene and makes believe he is hurt so as to prevent Mary from leaving. It works. In the meantime Alice asks Tearle whether he remembers the night they spent together many years ago. He says he does not but that is enough for him; he leaves with Katherine. Later

Alice in a conversation with Barrymore, realizes she had mistaken Tearle for another man.

The plot was adapted from the play "Vinegar Tree," by Paul Osborn. It was directed by Harry Beaumont. In the cast are Halliwell Hobbes and others.

Not suitable for children, adolescents, or Sundays.

**"Flying Down to Rio" with Dolores Del Rio, Ginger Rogers and Gene Raymond***(RKO, December 29; running time, 87½ min.)*

"Flying Down to Rio" has the distinction of being more novel than the general run of musicals because it is not of the backstage variety. It is excellent entertainment, has been produced lavishly, and contains two musical sequences that should thrill every spectator. The music and dancing in several numbers are charming. The closing scenes, which show girls dancing on top of aeroplanes flying above the land, will afford many laughs in addition to thrills, because of their novelty: very few people will know that the scenes were not actually taken in the air. Fred Astaire, internationally known as a dancer, seems to have the makings of a new screen personality; he dances extremely well, has a good comedy sense, and is likeable. Together with Ginger Rogers, he does one excellent dance, and again he shows his skill in a solo number. The romantic part of the picture is pleasant:—

Gene Raymond, a band leader, falls in love with Dolores Del Rio, a South American belle. He and his band are discharged because he danced with Dolores at the hotel where he played. He procures an engagement at a hotel down in Rio and is happy when he hears that is where Dolores is going. He induces her to fly down there in his plane and when he is forced to make a landing because of engine trouble, he purposely refrains from fixing the engine so as to be alone with Dolores. She loves him but tells him that she is promised to Raul Roulien and Raymond must forget his love for her. The band finally gets to Rio. The boys are stopped from giving their entertainment at the hotel because of a scheme of the town banker to take the hotel from Dolores' father on a foreclosure. But the boys fool the banker by providing entertainment in the air and this is successful in bringing many people to the hotel. Roulien knows that Dolores loves Raymond and so he releases her from her promise to marry him so that she might marry Raymond.

The plot was adapted from a story by Anne Caldwell. It was directed by Thornton Freeland. Blanche Frederici and Paul Porcasi are in the cast.

There are legs shown aplenty, but not in a vulgar fashion. Yet it will be up to you to decide whether it is or is not suitable for children, adolescents and Sundays.

**A QUESTION AND ANSWER COLUMN ON CODE MATTERS**

The appearance in these pages of the series of articles interpreting the Code has prompted many exhibitors to write me asking my opinion of certain of their problems.

Since the answers to these questions are of importance to every exhibitor, I have decided to answer such questions in these columns, after the interpretation is completed. So if you are in doubt as to certain provisions of the Code and you want them clarified, or if you desire to know what your action should be under given conditions when the Code begins to operate, you are at liberty to write me about them. Put your questions on a separate letterhead.

The Code Column will also report decisions of the Grievance Boards and of the Code Authority that will establish precedents, and all rulings by the Code Administrator.

**TAKE ADVANTAGE OF THE CANCELLATION PROVISION IN THE CODE**

Under Part Six, Division "F" of Article 5, of the Code, an exhibitor may cancel ten per cent of the feature pictures he has purchased from a distributor.

In my opinion, this provision of the Code is retroactive, and since the Code went into effect and Thursday, December 7, you are entitled, beginning with the December 7 release, to cancel ten per cent of any group of pictures you have bought from a distributor in the 1933-34 season.

This matter will be dealt with in greater detail in next week's issue.



## PART 2—GRIEVANCE BOARDS

Section One decrees that the Code Authority shall create in each exchange centre a Grievance Board, the composition of which shall be as follows: one national distributor with theatre affiliations, one distributor without theatre affiliations, one affiliated exhibitor, one unaffiliated exhibitor, and one person not connected with the motion picture industry, who shall be appointed by the Code Authority after approval by the Code Administrator, who will represent the Code Administration, and who shall vote only in case the board is deadlocked. No member shall sit in a case wherein he is interested either directly or indirectly. The decisions shall be by (b) majority vote, in writing, and shall be made within fifteen days from the day a protest is filed, and not later than three days after the hearing. (More will be said about the Grievance Boards in the summary of this interpretation.)

Section Seven (a) grants a complainant the right to appeal to the Code Authority not later than five days after the board has rendered its decision, and while the matter is in the hands of the Code Authority the decision of the board shall be (b) stayed. A complainant shall have the right (c) to appear before the Code Authority to present additional evidence. The Code Authority shall render its decision not later than fifteen days after it has heard both parties.

Section Eight decrees that no one shall have the right to file a complaint unless he has endorsed the Code within forty-five days after the day the President has signed it (or on or before January 11, 1934), or forty-five days after engaging in the motion picture industry.

Section One provides that if the Grievance Board, on complaint of an exhibitor, shall have found an exhibitor to have (a) bought more pictures than he reasonably requires, (b) adopted an unfairly competing operating policy by making unnecessary or too frequent changes of program, (c) has exacted from any distributor, without just cause, an agreement whereby such distributor shall refrain from licensing his pictures to the complaining exhibitor as a condition of buying pictures from him, (d) or committed any other act with the intent of depriving, without just cause, the complaining exhibitor of a sufficient number of films needed for operating his theatre, such Board shall make a (Section Two) prompt determination after a fair and impartial consideration of all the facts presented, summoning the exhibitors directly involved, the distributors who have contracts with the exhibitor complained against, and the exhibitors who have contracts for subsequent runs of pictures contracted for by the two exhibitors involved in the controversy. In such an event, it shall make an award (b) granting such relief as it may deem appropriate. Such Board shall have no power to award damages (the prerogative of awarding damages belongs to the arbitration board; otherwise the authority of the two bodies would conflict) but shall make an award, provided the exhibitor in whose favor the award shall be rendered is able and willing fully to carry out and comply with all the terms and conditions determined by such Board, which terms and conditions shall in no event be less favorable to the distributor concerned than those contained in the contracts of the guilty exhibitor, in the distributor's loss counting whatever rentals such distributor may lose from subsequent-run exhibitors as a result of the award.

In order to make this part of the Code clearer, let us use an illustration: Suppose Theatre A, a first-run house belonging to a producer circuit, has bought every worthwhile picture and the owner of Theatre B, an independent first-run house, has complained to the Local Grievance Board that he will be compelled to shut down unless he can get his share of the first-run product, being unable to operate his theatre profitably as a second-run house.

Let us assume that there is in that locality Theatre C, an independent second-run house:

Suppose Theatre C is willing to follow Theatre A but not Theatre B, being too close to it; that the distributor receives from Theatre A \$300 and from Theatre C \$75; if the Grievance Board should decree that Theatre A must give up, for example, one hundred pictures to Theatre B, then Theatre B must pay \$375 for every picture the Grievance Board takes away from Theatre A and is given up by Theatre C on the ground, as said, that Theatre C is unwilling to play second-run such pictures as Theatre B plays; or, if Theatre C is unwilling to pay \$25 for the pictures Theatre B plays, then Theatre B must pay \$350 for every picture the Board should take away from Theatre A. In this manner the distributor is not made to suffer any loss of revenue.

Section Four stipulates that all complaints not specified as coming under the province of the Code Authority, or of an Arbitration Board, or of a Clearance and Zoning Board in the first instance, must be heard by the Local Grievance Board, and if such Board by a majority vote of its members should decide that a complaint or grievance deserves certification to the Code Authority, it shall make such a certification, and the Code Authority shall consider and determine it. If it should dismiss it, the complainant has the right to appeal to the Code Authority, within the time limit specified in Section Seven.—Five days after the Board had made its decision.

Section Five specifies that a Local Grievance Board shall have no right to receive and hear a complaint against any affiliated exhibitor on pictures shown in his theatre if such pictures should be owned by his affiliated company. If you should couple this provision with the provision in Section Four, which specifies that a Grievance Board must hear any and all complaints that are not assigned to the Code Authority, or to the Arbitration Board, or to the Local Clearance and Zoning Board, it becomes clear that a Local Grievance Board must receive, hear, and determine all complaints against an affiliated theatre on all purchased pictures that are distributed by other companies.

To make the meaning of these two sections clear, let us use a concrete example: A Local Grievance Board shall have no right to receive, hear, and determine a complaint by an exhibitor against a Loew house on MGM pictures; but it must receive, hear and determine complaints against such a theatre on pictures distributed by Paramount, First National, Warner Bros., RKO, Universal, United Artists, or by any other company, big or little, booked by it; and on the question of overbuying, etc., the fact that it has contracted also for MGM pictures must be taken into consideration. The Board can make it give up pictures but not those produced by its own affiliated company. Accordingly, if the Loew theatre should try to grab every good picture released, a competing exhibitor may file a complaint against it with the Local Grievance Board. That is the way I understand these two provisions; and that is way they will, I am sure, be interpreted by the Code bodies in practice. If so, then there stands your "Right to Buy"!

(To be continued next week)

## CAN AN OLD HORSE BE TAUGHT NEW TRICKS?

According to *Variety* the producers are preparing to impose upon the Code Authority the film boards of trade, which are subsidiaries of the Hays organization.

It is hardly necessary for me to tell you the history of these boards. Every one of you knows what they are. But lest this editorial be read by some outsider interested in the Code proceedings, let me say that the function of the film boards of trade was to "pack" the arbitration boards so that the exhibitor might get little chance to obtain justice. You will understand this clearly when you bear in mind the fact that the secretaries of the film boards of trade were also the secretaries of the arbitration boards. The film boards employed the arbitration boards merely as collection agencies instead of trade tribunals where disputes between buyer and seller could be settled amicably without the expense of court litigation. The rooms where the arbitration boards met were the headquarters of the film boards of trade. It was only after a stiff fight by the Theatre Owners Chamber of Commerce that the meeting place was alternated every month in New York City, using the quarters of Theatre Owners Chamber of Commerce every other month.

HARRISON'S REPORTS serves notice on the producers and distributors that any attempt on their part to use the film boards again will be interpreted by the exhibitors as being an effort to debauch the Clearance and Zoning Boards as well as the Grievance Boards just as they debauched the arbitration boards; these boards were, as you no doubt remember, declared by the U. S. Supreme Court as having been used by the major producer-distributors illegally. It was decreed that the members of the Hays organization violated the Sherman and the Clayton acts thereby. An attempt to impose the film boards on the Code Authority will be fought by the exhibitors most bitterly. The producer-distributors must understand that there is a new deal in the motion picture industry and that the old abuses must be abandoned.



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## Benefits the Exhibitor Will Derive Under the Code — No. 4

Some exhibitor leaders have become peeved because of the campaign that I am conducting on behalf of the Code. Exhibitors of the rank and file, however, have not taken such an attitude.

The editor of a publication should never do any explaining as long as he is doing his work sincerely and conscientiously. But because of the fact that I have been in the habit of always being explicit with the exhibitors, I do not hesitate to assure you that the course that I am pursuing toward the Code is sound and sane; it is, in fact, the only course that I should pursue, regardless of the emotional intoxication of some exhibitor leaders.

When in 1920 I undertook to analyze the First National franchise, I was confronted with a worse problem than I am confronted with now. At that time First National consisted of about twenty-five territorial franchise holders, all exhibitors. Before printing the first installment they had already sold subfranchises to approximately 3,500 exhibitors, who were "sold" on their franchise idea. You may imagine the type of letters I received from some of them.

It was a tough battle, because at that time I had not yet gained the confidence of the exhibitors for loyalty to their cause even by one-tenth that I have now. But I knew that I would win out in the end, because I was right. I felt that those of the exhibitors who denounced me for having condemned that franchise agreement as a one-sided instrument would some day pay a high price for a picture, out of proportion to what the picture was worth, would ask for an adjustment, and when refused they would say: "Harrison was right!" They would then come back to the fold stronger than ever. And that is exactly what happened. Many, many years later I had the satisfaction of having been told by my good friend Jim Ritter, of Detroit, president of Allied States, that, in a conversation with the branch manager of a film company which I was fighting bitterly for certain injustices it had committed against the exhibitors, he said the following to him: "When Harrison fought First National we all thought that he was wrong. Harrison was right then, and Harrison is right now."

Jim Ritter and all my other friends may again repeat what Mr. Ritter told that branch manager: "Harrison was right then, and Harrison is right now!"

How can any sane exhibitor leader advise the rejection of the Code since it is now the law of the land, since the failure of an exhibitor to sign it deprives him of a right to seek justice from the Code bodies without immunizing him against being dragged before a Grievance Board on a complaint of either a distributor, or of another exhibitor, and since he, if he should sign it, can get immediate relief?

That no responsible exhibitor leaders would give such advice may be evidenced by the fact that some of them have taken the position that the signing of the Code is a problem that must be decided by each exhibitor individually. It is a good advice, but an exhibitor must sign the Code just the same.

To me the worst calamity that could have befallen the exhibitors would be not to have any Code at all.

Many exhibitors, on the other hand, have expressed a pleasurable surprise that there should be in the Code so many provisions that benefit the exhibitor.

And this is only a trial Code, for a trial period; at the end of ninety days, the President may become convinced that block-booking and blind-selling must go, and that other reforms may be instituted, in which case the independent theatre owners certainly will not come out the losers, for the President has repeatedly stated, in interviews,

statements, or in radio broadcasts, that his one aim is to protect the small business man. We can get more concessions from the President by cooperating with him, and not by fighting him.

The fears some exhibitors felt as a result of the trade paper interpretations of Mr. Johnson's memorandum issued by him after the major producer representatives, headed by Mr. Hays, had called on the President to ask for a modification of the Executive Order have been allayed by the true interpretation that was given of that memorandum in the editorial that appeared in last week's HARRISON'S REPORTS. In that editorial it was proved that the major producers got away with nothing.

The Code is decidedly advantageous to the independent exhibitor, even if the balance of power on the Code Authority appears to be with the major companies. Remember that the United States Government will have on the Code Authority three representatives, whose business will be to observe the acts of the individual members. If these representatives should report to the President that the Code Authority, by majority vote, perpetrates rank injustices on the small business men, I would not be surprised if the President disbanded the Code Authority altogether and appointed an administrator to carry out the provisions of the Code. It is then that the major companies will find out what it means to be unjust and unfair. The only thing we now have to do is to watch the proceedings not only of the Code Authority but also of the local Code bodies to see that the Hays forces do not again attempt to adulterate them just as they adulterated the arbitration boards. We must exercise vigilance. And we can exercise such vigilance only if we take advantage of the situation instead of wrangling. (I have been informed that the Hays forces have gone as far as to try to make the secretaries of the film boards of trade secretaries of the Grievance Boards. The gall of these people cannot be estimated.)

I suggest that every exhibitor organization send either to Mr. Charles L. O'Reilly, Room 908 Times Bldg., New York City, or to Mr. Nathan Yamins, either to the same address or to Empire Theatre, Fall River, Mass., the names of such exhibitors as they feel that are qualified to act as members of either their local Clearance and Zoning Board or their Grievance Board. As I have already informed you, the sales managers of the big companies have ordered their branch managers to send them the names of such exhibitors as can be "trusted." But let this not frighten you, for the names of the appointees on these boards will, before being confirmed, be given out so that if any exhibitor feels that any one of them may possibly be a tool of the Hays association he may file his objections against him either with Messrs. O'Reilly and Yamins, or with the Code Administrator in Washington.

Let us now proceed with a further interpretation of the Code:

Part Three of this (the Sixth) Article, specifies that all persons who are appointed to serve on the Zoning and Clearance Boards and on the Grievance Boards shall bear a good reputation and shall be of good standing in the industry, and must, when they accept the appointment, take an oath that they shall determine all issues presented to them fairly and impartially.

Part Four states that when a member of any Board ceases to represent the class from which he has been drafted his membership shall terminate (must resign voluntarily or be removed either by the Code Authority or by the Code Administrator), and the Code Authority shall fill the vacancy from the same class.

(Continued on last page)



### "By Candlelight" with Elissa Landi and Paul Lukas

(Universal, Dec. 11; running time, 68 min.)

Because of the fact that the production is excellent and the comedy high, "By Candlelight" should prove pretty good entertainment for class audiences; but it is not for the masses. The action is slow, and the characters are not of the type that win one's sympathy. Parts of it are suggestive, as for instance when Paul Lukas, after having received a call from his employer Nils Asther that he was bringing a lady to the house, sets about to put things in order, even to fixing the bed. Suspense is sustained fairly well throughout because of the reception carried on by both Lukas and Elissa Landi; although both were servants, each tried to make the other believe that they were titled people. The most comical situation is the one in which Asther returns to the house and finds Lukas entertaining Landi. Not wanting to give his butler away he makes believe he is the butler, much to Lukas' embarrassment:—

While on a train going to Monte Carlo with luggage belonging to Asther, Lukas meets Elissa Landi. She looks like a real society lady and since Lukas feels that servants are beneath him he carries on a flirtation with her. In the meantime she sees his luggage and thinks he is the Prince. He falls madly in love with her but before they reach Monte Carlo she sneaks away from him. He locates her in Monte Carlo and invites her over to Asther's home the night Asther is out. Complications arise, but finally Asther discloses Lukas' identity to Elissa Landi, she leaves him in an angry mood because she feels that he had fooled her. But she soon realizes that she, too, had been deceiving him, and so a reconciliation follows.

The plot was adapted from the play by Siegfried Geyer. It was directed by James Whale. In the cast are Dorothy Revier, Lawrence Grant, Esther Ralston, and others.

Not suitable for children, adolescents, or Sundays.

### "Criminal At Large"

(Helber Pictures; running time, 66 min.)

This Edgar Wallace murder mystery melodrama is an English production with all-British cast. It belongs in the horror class of entertainment, and audiences with strong nerves who go in for this type of entertainment will find it fairly exciting. It holds one in suspense throughout since several people are suspected of having committed the murders, and it is not until the very end that the mystery is solved. The closing scenes are the most horrible, for then the audience is aware of the fact that the young English lord is a madman. The scene in which this is made evident is pitiful, for he raves and talks about the joy he finds in murdering people. One feels much sympathy for the heroine, since it is shown that she was being forced to enter a marriage she dreaded:—

Several murders by strangling are committed on the estate of a famous English family, consisting of a mother and her son, whom she rules with an iron hand. The son, a lord, goes to Scotland Yard and asks them to try to find out what is happening at the house because he feels that he, too, will be murdered. When the detectives arrive they notice two peculiar looking butlers, who do not permit them to enter one room in the house. A young girl living with the family begs the detectives not to leave. It finally develops that the young lord is a madman, that his father and grandfather had been insane, too, and that the lord has committed all the murders; also, that his mother, insanely proud of the famous family name, desired that the young girl marry her insane son so as to bear children and keep the family name alive. She was forcing the girl to do this by supporting the girl's poor family. The son steals a gun from one of the butlers, and then tells the detective about the locked room which is padded. He finally kills himself with the gun. The mother is grief-stricken that there will be no one to carry on the family name.

T. Hayes Hunter directed it. In the cast are Emlyn Williams, who gives an excellent performance as the young lord; also Cathleen Nesbitt, Norman McKinnel, Gordon Harker, Cyril Raymond, and others.

Too terrifying for children, and its suitability for adolescents and Sunday showing is questionable.

### "Convention City" with All Star Cast

(First National, Dec. 30; running time, 68½ min.)

This comedy is uproariously funny but rough, bordering at times on the risqué; it is good entertainment for adults who are not squeamish. The action is fast and the audience is kept in suspense because of the many complications the different characters find themselves in. Several of the situations will arouse hearty laughter, and things happen throughout that keep one amused. The theme is a little different from the average run of themes. There is little human interest in the story; it depends entirely on comedy:

The action unfolds in Atlantic City, where a certain concern is holding its annual convention. To the convention come Adolphe Menjou, Guy Kibbee, Mary Astor, Frank McHugh, Dick Powell, and other salesmen. Guy Kibbee is frantic because his wife had insisted on coming with him; she had not left him out of her sight. Menjou sends a faked telegram to Kibbee's wife telling her that her sister in Kansas City was very sick, and she leaves to visit her sister. Menjou is determined to get the position of sales-manager and so he makes love to the owner's daughter, Patricia Ellis. Joan Blondell, a gold-digger, attaches herself to Kibbee when his wife goes away. She gets him into a compromising position when his wife suddenly returns, having found out she had been tricked. Menjou helps Kibbee to escape and shoulders the blame. Mary Astor, who was in love with Menjou, cannot bear to see him use Patricia to further his ambitions and so she tells the girl a lie about the fact that she had been living with Menjou for years. Grant Mitchell, the owner of the company, is caught in a compromising position by Frank McHugh and so, in order to keep him quiet, he gives McHugh the job of sales-manager and makes Dick Powell his assistant because Patricia had fallen in love with Dick. Menjou marries Mary Astor. Hugh Herbert, who had been drunk all during the convention, finds at the end that he had attended the wrong convention.

The plot was adapted from a story by Peter Milne. It was directed by Archie Mayo. Others in the cast are Hobart Cavanaugh and Ruth Donnelly.

Not suitable for children, adolescents, or Sundays.

### "His Double Life" with Roland Young and Lillian Gish

(Paramount, January 12; running time, 67 min.)

A comedy that will entertain class audiences fairly well; but it is too slow for the masses. It holds one in fair suspense throughout because of the fact that Roland Young, an artist, supposed to be dead, assumes another name so as to lead a peaceful life without being annoyed by curious people. Nothing exciting ever happens. The picture has been done in the style of a stage play and the pace is slow. There is human interest in the devotion Lillian Gish shows for Young. Comedy is provoked in one situation where Young, who had assumed his former butler's name, receives a visit from a woman and two young men who claim to be his wife and sons respectively, and also in the manner in which Lillian Gish gets rid of them.

In the development of the plot Roland Young's butler dies and the doctor assumes that the butler, and not Young, was the famous painter. No one will listen to Young when he tries to tell them he is the famous painter for he had always kept himself in seclusion and no one had ever seen him. The butler is buried with all the pomp and honors due an important personage. Young meets Lillian Gish, to whom the butler, through a matrimonial paper, had offered a proposal of marriage. Because of a picture the butler had sent her of Young and himself, she thinks Young is the butler. He is so charmed by her common sense and quiet manner that he marries her and lives a peaceful life with her. He paints again and when their income is depleted she sells the pictures at a reasonable rate. The paintings come to the attention of an art dealer who realizes that they are in the same style of the supposedly dead painter. Eventually the whole situation comes to light in a law suit brought by a purchaser of Young's pictures who claimed he had been faked. Young is able to prove that he is really the great artist. After the lawsuit he leaves England with his wife so as not to be bothered by curious people again.

The plot was adapted from a story by Arnold Bennett. It was directed by Arthur Hopkins in association with Eddie Dowling. In the cast are Montagu Love, Lucy Beaumont, Lumsden Hare, and others.

Suitable for children, adolescents and Sundays.



**"Rainbow Over Broadway" with  
Joan Marsh and Frank Albertson**  
(Chesterfield Pictures; running time, 71½ min.)

Just a fair program picture. For an independent production, the photography and sound are good. There is human interest in the story and some comedy, but it moves slowly and there is little suspense. The characters are sympathetic, with the exception of the step-mother of the family, whose whims and demands keep her husband and his three children serving her and stinting in order to keep her well provided. Joan Marsh is believable in the role of the daughter and gives a pleasant performance:—

When Frank Albertson, an orchestra leader, calls to see Joan Marsh, she and her brother try to sell him some of their songs. They are interrupted by their step-mother, a former actress, who takes all of Albertson's attention, singing for him and telling him how famous she had been. Albertson thinks she still has talent. He proposes to Joan but she refuses him because she feels that her family would be too much of a burden. Albertson and his orchestra are engaged at a swanky night club in New York but they have no headliner for their show. He suggests Joan's step-mother and telephones the family to come to New York. They arrive and the mother is put in the show. Also the songs written by Joan and her brother are used. The opening night both the mother and the songs are a sensation. Joan and her brother are engaged by some producers to write music for their new show. Joan and Albertson are married.

The plot was adapted from a story by Carol Webster. It was directed by Richard Thorpe. In the cast are Grace Hays, Lucien Littlefield, Nat Carr, George Grandee, Gladys Blake, and others.

Suitable for children, adolescents, and Sundays.

**"Alice in Wonderland" with All Star Cast**  
(Paramount, Dec. 22; running time, 75 min.)

The production end of this picture is good, but as for its entertainment value it is suitable only for special matinee performances for children; adults will be bored. It is not the fault of the director, who handled it skillfully; it is just that the book did not offer picture material.

It is a fantasy and follows the style of the book in conversation and action. The story is about a young girl who falls asleep and dreams that she has walked through the looking glass into the world beyond it. What follows are her experiences with peculiar characters, such as different animals that speak, and the conversations that she holds with them have no meaning.

There is no human interest; it is fantastic from beginning to end and as such leaves one cold. Even though Paramount has utilized the services of many of its well known players in the cast, such as Gary Cooper, Richard Arlen, Edward Everett Horton, Jack Oakie, Cary Grant, Baby LeRoy, and others, it is meaningless, for they are made up in costumes which hide their identity and unless the spectator recognizes the voice of the individual actor it will be impossible for one to know who is who.

It has a few laughs which are brought about by the querness of the characters and some of the advantages that Alice has.

The plot was adapted from the story by Lewis Carroll. It was directed by Norman McLeod. Others in the cast are Harvey Clark, Jack Duffy, Alec B. Francis, Skeets Gallagher, Raymond Hatton, Sterling Holloway, Lucien Littlefield, and Mae Marsh.

Suitable for children, adolescents, and Sundays.

**"Mr. Skitch" with Will Rogers and  
Zasu Pitts**

(Fox, Dec. 22; running time, 68 min.)

Not a big picture, but a good comedy of program grade. It has much human interest, good comedy moments, and in addition to all this some excellent out-door shots of the Grand Canyon and of points west, worked into the picture as part of the tour that Rogers and his family were taking by automobile. There is nothing outstanding and it is not as amusing as some other Rogers pictures, but it keeps the audience entertained. One of the funniest situations is where Rogers frightens Harry Green into believing that he is a dangerous man. Florence Desmond, a clever actress,

provokes many laughs by her impersonations of different motion picture people, particularly by that of Katherine Hepburn; which is remarkably good:—

When the bank sells Rogers' home on a foreclosure, Rogers and his wife, Zasu Pitts, and their four children leave the town and decide to travel to California in their car, the only thing left. During their travels the daughter, Rochelle Hudson, meets Charles Starrett, a West Point cadet who was spending his vacation doing some survey work; they fall in love. Rogers picks up odd jobs to buy their food, even becoming a guide and giving descriptions of places he knows nothing about. He gets a position in a gambling cafe, as a waiter, and backed up by a drunken patron he gambles and wins three thousand dollars. Talking it over with Zasu they decide that if they had just five hundred dollars more they could get back their old home and buy a new car. So Rogers goes back to the cafe but this time he is unlucky and loses all the money. Starrett, who was wealthy and wanted to marry Rochelle, sends them all home, and puts Rogers in business, running a tourist camp. Starrett and Rochelle marry.

The plot was adapted from a story by Anne Cameron. It was directed by James Cruze. In the cast are Eugene Pallette, and others.

Suitable for children, adolescents and Sundays.

**MORE ABOUT THE CANCELLATION  
CLAUSE IN THE CODE**

According to the provision in Part 6 (a?), subdivision "F," Article V, of the Code an exhibitor may, when the Code goes into effect, cancel ten per cent of the pictures he may contract for, provided (1) he is not in default under the contract, and (2) has complied with all its terms.

The question now is whether this provision, which went into effect December 7, the day on which the President signed the Code, is or is not retroactive.

In my opinion this clause is just as much retroactive as are the labor provisions. If you had a contract with some employee of yours, and the Code set up a higher pay than that contained in the contract, and a maximum number of working hours that are lower than the maximum number stipulated in the contract, the terms about rate of pay and maximum hours would be superseded by those of the Code. The cancellation provisions cannot be treated differently.

You are, however, not entitled to cancel ten per cent of all the pictures you have bought for the 1933-34 season, but only ten per cent of all such pictures released on or after December 7.

The Code provision puts the exhibitor under obligation to send a notice to the distributor not later than fourteen days after the "general release thereof in the exchange territory out of which the Exhibitor is served."

Suppose a picture was released nationally, for example, on December 15, but is not to be shown at a first-run house until January 15; in such case January 15 will be, I believe, the release date of that picture for your zone as far as the Code is concerned.

My reason for giving such interpretation to this provision is the fact that otherwise a producer could set a date for a poor picture and not release it for one or two months, and then assert that you did not avail yourself of your rights in accordance with the Code provision.

The cancellation provision in the Code was incorporated for the purpose of enabling you to cancel a picture the people of your community might object to. How are you, then, going to know that a picture is demoralizing unless you are given an opportunity to see it? And you or your representative naturally cannot see it unless it is shown either at a theatre or in a projection room.

Your right to cancel ten per cent of the pictures on any contract is not lost by your failure to notify the distributor on every tenth picture released. You may choose to cancel your ten per cent from among the last pictures in the contract. And my suggestion to you is to wait to cancel your quota toward the end of the season, when the producers, as a rule, release their worst pictures.

**Greetings of the Season**



## ARTICLE II—Administration

Section One: A body known as "Code Authority" shall be set up to act as the agency for the administration of the Code, to be vested with such powers as are necessary to carry out the purposes for which it has been established.

Section Two (a): The membership of the Code Authority shall be as follows:

For the companies that represent producer, distributor and exhibitor interests: Merlin H. Aylesworth, Sidney R. Kent, George J. Schaefer, Nicholas M. Schenck, and Harry Warner.

For the independent producers, distributors and exhibitors: Robert H. Cochrane, W. Ray Johnston, Ed. Kuykendall, Charles L. O'Reilly, and Nathan Yamins.

(b) When a question before the board affects directly or indirectly any class of employees not represented on the Code Authority, the Administrator shall select one representative from among persons that have been recommended by that class to sit, for the consideration of that question, as a member of the Code Authority. (Marie Dressler and Eddie Cantor have already been appointed to represent the actors.)

(c) The Administrator may designate three additional persons to be members of the Code Authority as observed for the Administration. These shall not have any personal interest, either direct or indirect, in the motion picture industry, nor shall they represent any interests adverse to the interests of those engaged in it. (Two of the three have already been appointed. They are: Dr. A. Lawrence Lowell and Sol A. Rosenblatt. But Dr. Lowell has declined the appointment.)

(d) In case a vacancy is created by absence, resignation, ineligibility, or incapacity of any member, an alternate of the same general class, who shall be a bona fide executive, or a bona fide exhibitor, as the case may be, shall be designated by such member whose seat has become vacated, to act temporarily in his behalf. Such designation shall be certified to the Code Authority by the member on whose behalf the alternate is to act. The Code Authority, however, may reject such alternate and require the designation of another.

(e) A temporary alternate designated to become a permanent alternate will have to be approved by the Code Administrator first.

(f) In case a member cannot for some reason designate his alternate the Code Authority may do so with the approval of the Administrator.

(g) One employer cannot be represented on the Code Authority by more than one member.

(h) When a member ceases to be a bona fide executive, or a bona fide exhibitor, his seat is considered vacant and is filled by the Code Administrator in case the member whose seat becomes vacant cannot designate his substitute as in (f).

Section Three: The Code Authority shall make its own rules about meetings and other matters of procedure.

Section Four: The Code Authority may create committees and delegate to them any power or authority within its own powers for the purpose of carrying out the intent of this Code, but at no time shall it be relieved of its duties, and of its own responsibility for the acts of such committees; it may remove at any time any committee member, and it shall be its duty to review the acts of any of these committees.

Section Five: The Code Authority shall have the right (a) to collect from the members of the industry data reasonably pertinent for the carrying out of the purposes of this Code to be submitted to the President when required by him, or to governmental agencies, for purposes enumerated in Section 3 (a) of the National Industrial Recovery Act, but such data shall be considered of confidential nature, and only unidentified summaries of them may be published, under rules prescribed either by the Code Authority or by the Administrator, and (b) to make independent investigations of violations of the Code.

Section Six: The Code Authority shall assist the Administrator in carrying out the provisions of the Code and in making investigations to ascertain whether the provisions of the Code are observed by everybody, or to satisfy himself whether a complaint lodged with him is justified or not, submitting a report to the Administrator. It may initiate regulations, make interpretations, or consider recommendations for such regulations and interpretations as may come before it, even when they pertain to trade practices.

Section Seven: The Code Authority may, after notice and hearing, prescribe additional rules governing the policies of producers, distributors and exhibitors in their dealings among themselves, with one another, and with their employees. These rules shall be submitted to the Administrator and if the President approves them they shall automatically become rules of fair practices, a violation of which shall constitute a violation of the Code itself.

Section Eight: The Code Authority shall utilize the facilities of national, of regional, and of local trade associations, groups, institutes, boards, and organizations in the industry to an extent and in a manner that will prove most useful for carrying out the purposes of this Code.

Some exhibitor leaders have become frightened by the wording of this provision lest the producers be enabled to employ the film boards of trade to take advantage of the independent exhibitors for the benefit of the major producer-distributor-exhibitors. Since there will be government representatives, not only on the Code Authority, but also on the different boards that will be set up by it, such a fear is groundless. Remember that the Code Administrator has been given by the President the right to review, and if necessary to disapprove, any of the acts of all Code bodies if he should feel that they are unfair, or that they have been obtained from these bodies by fraud.

Section Nine: A Code Authority member shall refrain from sitting on any matter involving, directly and not as a class, the interests of his company as well as of his own. In circumstances of this kind the Code Authority shall designate an alternate, to be taken from the same general class, not connected in any way with the company or with the theatre of the disqualified member.

Section Ten: (a) The Code Authority shall have the right to appoint, remove and set the compensation of all persons it may employ for administering the Code. (b) The expenses of the Code Authority, in administering the Code, shall be defrayed with funds obtained by assessing the three branches of the industry. (c) Those who do not pay their share of the cost will not be entitled to the benefits of the Code—they shall not be entitled to file any complaint with the Code Authority or with any of the bodies created by it to enforce fair trade practices.

## ARTICLE VII—General Trade Policy Provisions

PART ONE: By this provision, producers, distributors, actors, directors, writers and others, including production executives, give their word to maintain high moral standards in the production of motion pictures.

Though this provision does not seem definite enough, its effect may prove more beneficial than if it were definite, for if we are to take into account our past experience, the big producers have never failed to have a demoralizing picture passed by censors. They are always able to invent means and ways to evade censorship regulations. To attain their object, they even hire censors to work for them. With the "Morality Clause" flexible, perhaps the exhibitors may be able to invoke the powers of the different Code bodies to be relieved of demoralizing pictures. We shall have to wait to see how it will work out. If it does not work out well, I believe that the President will, at the end of ninety days, use the big stick to bring about reforms.

PART TWO: This part refers to advertising and publicity procedure; the industry pledges itself to maintain high moral standards.

## ARTICLE VIII—Miscellaneous Provisions

PART ONE: In asking an exhibitor to ship a print to some theatre, the distributor makes him his agent. In this manner the exhibitor is relieved of responsibility as to what happens to the print once he delivers it to the carrier designated by the distributor, or, in the absence of definite instructions, to the carrier selected by the exhibitor.

PART TWO: (a) If any part of this Code provides for arbitration other than that provided for in the Optional Standard License Agreement, all those who have accepted this Code shall proceed to arbitrate all arbitrable questions by submitting them to an arbitration board as indicated in this Part of the Code.

PART THREE: The provisions of this Code shall not apply to a case involving production and distribution of either standard or substandard films, exhibited either at regular theatres or at non-theatrical places, or to a case involving television, unless the Code Authority, after an investigation, determines that an unfair competition is created against an established motion picture theatre.

(To be continued next week)



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